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CONFIDENTIAL.

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PART II.

FURTHER CORRESPONDENCE

RESPECTING

COMMERCIAL NEGOTIATIONS

BETWEEN

GREAT BRITAIN AND MOROCCO.

6

1886.

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CONFIDENTIAL.

Further Correspondence respecting Commercial Negotiations between Great Britain and Morocco.

Part II.

No. 1.

The Marquis of Salisbury to Sir J. Drummond Hay.

(No. 1. Commercial.)

Sir, *Foreign Office, January 4*, 1886.

I APPROVE your proceedings, as reported in your despatch No. 39, Commercial, of the 19th ultimo, as well as the opinions stated in that despatch, with respect to the commercial negotiations now in progress with Morocco.

I inclose, for your information, a copy of a note which I have addressed to the German Chargé d'Affaires at this Court, respecting the desire of the Portuguese Government to take part in these negotiations.*

I am, &c.
(Signed) SALISBURY.

No. 2.

The Marquis of Salisbury to Baron von Plessen.

M. le Chargé d'Affaires, *Foreign Office, January 4*, 1886.

WITH reference to my note of the 26th ultimo, I have now the honour to inform you that Her Majesty's Minister at Tangier has submitted to Her Majesty's Government the following remarks with respect to the desire of the Government of Portugal to join in the commercial negotiations now in progress with Morocco. Sir J. Drummond Hay observes that if the Portuguese Minister joins in these negotiations it is very probable that the Representatives of other Powers will also wish to take part in them, and that obvious inconvenience will ensue from a negotiation conducted by a number of foreign Representatives at Tangier. The terms of the commercial arrangements which are about to be entered into by Morocco with Great Britain, Germany, and France will no doubt be extended to other Powers; and those Powers, including Portugal, will not be injured by their not directly taking part in the negotiations now in progress.

Her Majesty's Government are disposed to concur in these suggestions; and, if the German Government are of the same opinion, I have the honour to propose that an answer in this sense should be returned to the application recently made by Portugal to the Governments of Germany and Great Britain.

I have, &c.
(Signed) SALISBURY.

* No. 2.

No. 3.

The Marquis of Salisbury to Sir J. Drummond Hay.

(Commercial.)
(Telegraphic.) *Foreign Office, January* 9, 1886, 4 P.M.

ITALIAN Chargé d'Affaires asks for information respecting negotiations with Morocco. Italy probably wishes to join.

Do you see any great objection?

No. 4.

Memorandum communicated by M. Catalani.—(Received January 9.)

IT has been reported that the English and German Ministers at Tangier have made a joint demand for certain commercial concessions from Morocco, and that negotiations are taking place between Sir Drummond Hay and the Moorish Government for a new Treaty.

The Italian Chargé d'Affaires would esteem it a favour to have, if possible, from the Marquis of Salisbury, some information on the matter.

35, *Queen's Gate, January* 4, 1886.

No. 5.

Sir J. Drummond Hay to the Marquis of Salisbury.—(Received January 11.)

(No. 2. Commercial.) *Tangier, January* 3, 1886.

My Lord,

I HAVE the honour to acknowledge the receipt of your Lordship's despatches Nos. 32 and 33, Commercial, of the 23rd ultimo.

I communicated to the German Plenipotentiaries the substance of the inclosure of No. 33, and also to M. Féraud. I have sent the latter a copy of the printed draft of the revised Convention, together with my observations upon each Article, showing why alterations and additions had been proposed.

M. Féraud acquainted me that he had written last month a private letter to the Vizir, informing him of the intention of the French Government to act in concert with the British and German Governments in the commercial negotiation, and that, under these circumstances, it would not be necessary to send special Commissioners to treat with him if the Sultan authorized the Commissioners already appointed to treat with the British and German Plenipotentiaries to treat also simultaneously with himself. In accordance with the wishes of M. Féraud, I have made this known to Cid Mohammed Emfadl Garneet, the Moorish Minister for Foreign Affairs at the Shereefian Court, in a letter I have addressed him this day, of which I have the honour to transmit a translation.

I have, &c.
(Signed) J. H. DRUMMOND HAY.

Inclosure in No. 5.

Sir J. Drummond Hay to Cid Mohammed Emfadl Garneet.

(Translation.) *January* 3, 1886.
(After compliments.)

I HAVE the honour to inform your Excellency that the British and German Governments have agreed, at the request of the French Government, that their Minister, M. Féraud, should join the German Plenipotentiaries and myself in the negotiation of the Commercial Convention. I feel assured that His Shereefian Majesty will learn with satisfaction that these three great and friendly Powers, being desirous to promote commercial relations with Morocco, which it is expected will lead to important beneficial results and the prosperity of His Majesty's dominions, have determined to act in concert to obtain this most desirable object.

M. Féraud has informed me that he has addressed a letter on this subject to the Shereefian Court, and has suggested, for His Shereefian Majesty's consideration, that the Moorish Delegates who have been appointed to treat with the German Plenipotentiaries and myself should also receive instructions to treat simultaneously with him. Such an arrangement will be agreeable to all parties, and facilitate the progress of the negotiation.

I therefore trust that His Majesty, in his wisdom, may be pleased to give the necessary orders.

Peace.

(Signed) J. H. DRUMMOND HAY.

No. 6.

Sir J. Drummond Hay to the Marquis of Salisbury.—(Received January 11.)

(No. 3. Commercial.) *Tangier, January* 4, 1886.

My Lord,

I HAVE the honour to acknowledge the receipt of your Lordship's despatch No. 34, Commercial, of the 23rd ultimo, referring to your Lordship's despatch No. 29 of the 9th December, respecting the desire of the Portuguese Government to take part in the commercial negotiation.

Your Lordship will no doubt have received my despatch No. 39, Commercial, of the 19th ultimo, in which I expressed an opinion that it would not be advisable to accede to the wishes of the Portuguese or of other foreign Governments, besides that of France, to take part in the commercial negotiation now in progress.

I have, &c.
(Signed) J. H. DRUMMOND HAY.

No. 7.

Verbal Communication by Baron Plessen.—(Received January 13.)

THE French Ambassador at Berlin, Baron Courcel, has repeatedly mentioned to the Imperial Government the question of the participation of France in the negotiations with Morocco. By order of his Government, he has informed the German Government, verbally, that the French Government would be willing to "associate" themselves in the negotiations if this should meet the wishes of the German and English Governments. Baron Courcel was told, verbally for the present, that the participation of France could not but be desirable, provided the French Government accepted in the main the German-English draft Treaties as a basis for their own negotiations, in order not to postpone the negotiations for an indefinite time.

Baron Courcel seemed to agree to this, without, however, giving a definite assurance.

The German Government hope that this answer to Baron Courcel is in harmony with the view taken by Her Majesty's Government in this question.

The German Government are awaiting the reply of Her Majesty's Government, in order that an official answer may be given to the French Government in accord with the English view.

No. 8.

Memorandum by Sir J. Pauncefote.

BARON VON PLESSEN called to state that the views of the German Government with regard to the wish of the Portuguese Government to join in the negotiations, are in perfect harmony with those expressed in Lord Salisbury's note of the 4th instant, and that the German Representative at Lisbon has been instructed to convey the refusal of his Government to accede to the application made by the Portuguese Government, at Berlin.

J. P.

Foreign Office, January 16, 1886.

No. 9.

Sir J. Drummond Hay to the Marquis of Salisbury.—(Received January 17, 11 A.M.)

(Commercial.)
(Telegraphic.) *Tangier, January* 17, 1886, 9·15 A.M.

YOUR telegram regarding wish of Italian Government to join negotiation.

I have to suggest that the reply should be similar to that given to the Portuguese Government.

No. 10.

*The Marquis of Salisbury to M. Waddington.**

(Confidential.)

M. l'Ambassadeur, *Foreign Office, January* 18, 1886.

WITH reference to my note of the 23rd ultimo, I have the honour to acquaint your Excellency that the Spanish Government have expressed, through their Representative at this Court, their wish to participate, in conjunction with the Governments of Great Britain, France, and Germany, in the commercial negotiations which it is proposed to set on foot with the Government of Morocco.

The claim of Spain to take part in the proposed negotiations is founded, apart from the question of territorial vicinity, upon the fact that the Spanish Government were associated with the other Powers Signatories of the Convention concluded at Madrid on the 3rd July, 1880, relating to the right of protection in Morocco.

Before returning an answer to the application of the Spanish Government on this matter, Her Majesty's Government are desirous of ascertaining the views which may be entertained thereupon by the other Governments concerned; and I have accordingly to request that your Excellency will be so good as to inform me confidentially whether the co-operation of Spain in the commercial negotiations with Morocco would be agreeable to the French Government.

I have, &c.
(Signed) SALISBURY.

No. 11.

The Marquis of Salisbury to Count Hatzfeldt.

M. l'Ambassadeur, *Foreign Office, January* 19, 1886.

WITH reference to the verbal inquiry which was made at this Office on the 13th instant by Baron von Plessen with regard to the participation of France in the commercial negotiations with Morocco, I have the honour to inform your Excellency that, in accordance with the understanding arrived at between your Excellency and myself on behalf of our respective Governments, I informed the French Ambassador, as your Excellency is aware from my note of the 23rd ultimo, that Her Majesty's Government were willing to accede to the wish of the French Government to take part in these negotiations.

A copy of the draft Treaty, which was drawn up at this Office and communicated to your Excellency's predecessor on the 17th December, 1883, has been also communicated to the French Minister at Tangier by Her Majesty's Representative in that capital.

Her Majesty's Government will learn with pleasure that the French Government are disposed to accept, in conjunction with Great Britain and Germany, the terms of this draft as a basis of negotiation with the Moorish Government; but having regard to the fact that they have accepted, so far as they are concerned, without restriction, the offer of France to join in these negotiations, Her Majesty's Government would feel some difficulty on insisting now on the proposed condition.

I have, &c.
(Signed) SALISBURY.

No. 12.

Memorandum by Mr. H. Austin Lee.

ON the 31st March Sir J. Hay was instructed "to continue to act in concert with other foreign Representatives who may be willing to co-operate with you" in regard to the revision of the Commercial Convention between Great Britain and Morocco.

Nothing took place till the 1st October, when Baron Plessen informed Lord Salisbury that the German Representative in Tangier had been instructed to ask the Sultan to send Delegates to Tangier to meet two German Delegates who were about to proceed from Berlin to that place; and Baron Plessen was authorized to say that if Her Majesty's Government thought joint action would be useful, the Imperial Government were prepared to instruct their Delegates accordingly.

We accepted this proposal on the 5th October, and instructed Sir J. Hay (No. 21,

* Also to Count Hatzfeldt.

Commercial, October 5) to "proceed in the negotiation in concert with the German Representative."

On the 15th October Sir J. D. Hay acknowledged the receipt of these instructions (No. 25, Commercial), but pointed out that in pursuance of instructions he had already received in 1882 (?), he had kept his German colleague informed of the steps he had taken to obtain a fulfilment of the promise made by the Sultan in 1882, to send Commissioners to Tangier to negotiate the revision of the Convention of 1856.

On the 10th November Sir J. D. Hay reported (No. 31, Confidential), that the French Minister, M. Féraud, had discussed the question of the commercial negotiations with him, and had proposed that Sir John Hay, as Doyen, should convoke a meeting of the foreign Representatives or send a Circular to urge collective action in urging upon the Moorish Government the necessity of improving their commercial relations. Sir John Hay replied that he could not take this step without instructions from Her Majesty's Government, and "he avowed that there were certain Representatives with whom, for various reasons, he would prefer to avoid co-operation upon any question connected with the trade of Morocco." M. Féraud said that he would suggest to his Government that they should communicate with Her Majesty's Government, and propose that he should be instructed to act in concert with the Representatives of Great Britain and Germany.

On receipt of this despatch it was decided not to take any action until a communication on the subject was received from the French Government.

On the 30th November Baron Plessen informed Lord Salisbury that the German Government were favourable to the co-operation of the French Minister, and agreed with the German Minister Resident in thinking that "it would be best if the French Government, without loss of time, adopted the German draft Treaty, and instructed their Representatives in Tangier to recommend to the Morocco Government to accept the German proposals as being also in the interest of France."

Sir J. D. Hay (No. 38 of the 16th December) informed Lord Salisbury that this statement was not quite correct, as the co-operation of the French Minister was, in their Report made to the German Government by their Representatives at Tangier, recommended to be made conditional on "the acceptance of the draft of the Convention which had been prepared," and Sir John now reported that the French Minister, in the conversation referred to above, had given him an assurance that he would be disposed to accept the draft of the Convention.

Count Hatzfeldt was informed, in reply, on the 8th December, that Lord Salisbury saw "no objection to the British and German Ministers acting in concert, at their discretion, with the French Minister in this negotiation," but that the French Government should first move in the matter.

On the 23rd December M. Waddington was informed, with reference to a (? verbal) communication he had made a few days before, that Her Majesty's Government "had learnt with satisfaction the readiness of the French Government to join in the negotiations," and had acquainted the German Ambassador with the fact, and Lord Salisbury had no doubt that the announcement would be agreeable to the German Government.

(It may be observed here that the acceptance of French co-operation was unconditional, no mention being made of the acceptance of any draft Convention.)

On the same day (December 23) Sir J. D. Hay was instructed, after consultation with the German Representatives, "to acquaint M. Féraud with the present position of the commercial negotiations, and then to proceed in regard to them in concert with the Representatives of France and Germany."

On the 3rd January Sir J. D. Hay (No. 2, Commercial), reported that, in compliance with the above instructions, he had sent M. Féraud a copy of the printed draft of the revised Convention, and had informed the Moorish Government that the British, German, and French Representatives would treat simultaneously with them.

On the 13th January Baron Plessen informed Lord Salisbury that the French Ambassador at Berlin had been informed that "the participation of France could not but be desirable, provided the French Government accepted in the main the German-English draft Treaties as a basis for their own negotiations," adding that "the German Government hope that this answer to Baron Courcel is in harmony with the view taken by Her Majesty's Government in this question."

Baron Courcel is stated "to have seemed to agree, without, however, giving a definite assurance."

In reply to this communication, Count Hatzfeldt was informed, on the 19th January, that "Her Majesty's Government will learn with pleasure that the French Government are disposed to accept, in conjunction with Great Britain and Germany, the terms of this draft as a basis of negotiation with the Moorish Government; but having regard to the

fact that they (Her Majesty's Government) have accepted, so far as they are concerned, without restriction, the offer of France to join in these negotiations, Her Majesty's Government would feel some difficulty in insisting now on the proposed condition."

With regard to the wish of *Portugal* to take part in the negotiations, M. d'Antas informed Lord Salisbury on the 2nd December that the Portuguese Government were negotiating with the Moorish Government, and his Government thought that it would be of mutual advantage if England, Germany, and Portugal were to act together. Sir J. D. Hay was asked his opinion upon this question, and Count Hatzfeldt was informed of the Portuguese proposal. This had already been made to the German Government who, Baron Plessen stated, would await the views of Her Majesty's Government before replying. Sir John Hay replied on the 19th December (No. 39, Commercial), that the German Plenipotentiaries (who arrived at Tangier from Berlin on the ?) agreed with him in thinking that no benefit would be derived from the co-operation of the Portuguese Minister.

Baron Plessen was informed on the 26th December of the terms of Sir J. Hay's despatch, and informed that Her Majesty's Government were disposed to concur in his suggestions, and, if Germany agreed, they proposed that an answer in this sense should be returned to the Portuguese Government.

To this note no official reply has been received; but Baron Plessen has written privately to Sir J. Pauncefote to say that the views of the German Government are "in perfect harmony with those laid down in Lord Salisbury's note, and that the German Representative at Lisbon has been instructed to return a refusing answer, in conformity with these views, to the application made by the Portuguese Government at Berlin."

Meanwhile, as far as we are concerned, no reply has been given to M. d'Antas' note.

With regard to *Spain*, the Marquis Casa Laiglesia has expressed the wish of the Spanish Government to take part in the negotiations at Tangier.

Count Hatzfeldt and M. Waddington have been asked (18th January) whether the co-operation of Spain will be acceptable to their respective Governments.

With regard to *Italy*, M. Catalani asked on the 9th January for information respecting commercial "negotiations reported to be taking place between Sir Drummond Hay and the Moorish Government for a new Treaty."

Sir J. Hay having been asked on the 9th by telegram whether he saw any great objection to Italy joining in the negotiations should she wish to do so, replied on the 17th that the reply should be similar to that given to the Portuguese Government.

Lord Salisbury has asked Mr. Bourke to give a verbal reply to M. Catalani, pointing out that "special reasons were opposed to our proposing general co-operation of all the Powers, or else we should have done so."

Mr. Bourke is to see M. Catalani on an early day.

H. A. L.

January 20, 1886.

No. 13.

*The Marquis of Salisbury to Viscount Lyons.**

(No. 4. Commercial. Confidential.)

Foreign Office, January 20, 1886.

My Lord,

I TRANSMIT to you herewith, for your Excellency's information, a copy of a confidential note which I have addressed to M. Waddington, relative to the question of the participation of Spain in the proposed commercial negotiations with Morocco.†

I have addressed a similar communication to Count Hatzfeldt.

I am, &c.

(Signed) SALISBURY.

No. 14.

Sir J. Drummond Hay to the Marquis of Salisbury.—(*Received January* 22.)

(No. 4. Commercial.)

Tangier, January 13, 1886.

My Lord,

WITH reference to my despatch No. 35, Commercial, of the 8th December, transmitting the translation of a note I had addressed to Cid Mohammed Bargash,

* Also to Sir E. Malet (No. 3).

† No. 10.

requesting that orders should be sent by the Sultan to the Moorish Commissioners who had been appointed to treat with me and the German Plenipotentiaries in the negotiation of the Commercial Convention to act in concert in this matter, I have the honour to inform your Lordship that I have received a letter from the Vizir for Foreign Affairs, Cid Emfadl Garneet, informing me that His Shereefian Majesty has sent orders to the Commissioners in accordance with the wishes I had expressed.

Two of the Commissioners appointed to treat with the German Plenipotentiaries, named Hadj-el-Arby Ferj and Hadj Hamed Benany, have arrived. A third who has been appointed, named Cid Mohammed Aragon, has not yet arrived.

I have, &c.

(Signed) J. H. DRUMMOND HAY.

No. 15.

Sir J. Pauncefote to Baron von Plessen.

(Private.)

Dear Baron von Plessen, *Foreign Office, January* 23, 1886.

YOU were kind enough to inform me in your private note of the 16th that your Government agreed with Her Majesty's Government as to declining the participation of Portugal in the Morocco negotiations. We should be glad if you would kindly expedite the official reply to our note to you of the 4th January on that subject, and thanking you for letting me know beforehand the decision of your Government, I remain, &c.

(Signed) JULIAN PAUNCEFOTE.

No. 16.

Verbal communication by Baron Plessen, January 25, 1886.

SI MOHAMED BARGASH, Minister for Foreign Affairs, who continues to live at Rabad on account of his health, has made a written communication to us to the effect that the Sultan has appointed three Plenipotentiaries for the conclusion of a Treaty of Friendship and Commerce with Germany, namely :—

1. El Hadsch El-Arbi Faradsch.
2. El Hadsch Ahmed Ben El-Tahir Bonami, of Fass.
3. Si Mohamed Arragon, of Tetuan.

We have received a similar communication from the Grand Vizier by orders of the Sultan. The Grand Vizier, in his letter, remarks that the Sultan has summoned the three Plenipotentiaries to his Court to receive their instructions, and that they would proceed to Tangier as soon as possible. The Grand Vizier endeavours to explain the delay in the nomination of the Plenipotentiaries, by alleging the wish of the Sultan's to find officers capable of discharging the duties entrusted to them.

We learn from a private source that the two first-mentioned Plenipotentiaries returning from Morocco city, where the Sultan is at present, have already reached Rabat and will arrive here in a few days.*

The Sultan's choice of the three Delegates can only be called a happy one. The first Delegate, Faradsch, has repeatedly been in Europe, his last post having been that of Ambassador Extraordinary in Rome, and has some knowledge of European affairs; the two others enjoy a good reputation and are acquainted with the exigencies of the commerce in this country.

The acting Minister El Torres has, by confidential utterances, confirmed our assumption that the Sultan, before making out the nomination of Plenipotentiaries for the conclusion of the Treaties with Germany, wished to redeem the promise made to the British Government as early as April 1881, to subject the Anglo-Moorish Commercial Treaty to a revision: this, he said, was the only reason of the delay, and we should convince ourselves in the course of the negotiations with the Sultan's Plenipotentiaries that the Moorish Government sincerely desired the conclusion of the Treaties.

The British Minister here has entered upon the negotiations with the Delegates appointed for England, but he has intentionally not gone beyond the first preliminaries in order to await the beginning of the Germano-Moorish negotiations, and to proceed with as *pari passu*. Sir J. Hay has drawn the attention of the Grand Vizier to the fact that it was the wish of his Government not only to negotiate, but to do so only together with

* Tangier.

the Representatives of Germany, and that he must, therefore, await the arrival of Delegates appointed to negotiate with Germany before entering on the consideration of the Tariff.

No. 17.

Memorandum by Mr. Bourke.

I TOLD Italian Chargé d'Affaires that, if his Government wished, we should be glad to instruct our Minister at Morocco to inform Italian Minister there from time to time as to the course of negotiations.

(Signen) ROBERT BOURKE.

Foreign Office, January 26, 1886.

No. 18.

The Marquis of Salisbury to Sir J. Drummond Hay.

(No. 5. Commercial.)

Foreign Office, January 27, 1886.

Sir,

WITH reference to your telegram, Commercial, dated the 17th instant, I have to acquaint you that the Italian Chargé d'Affaires called at this Office on the 26th of this month, the object of his visit being the question of the participation by Italy in the proposed joint commercial negotiations with Morocco.

M. Catalani was given to understand that if his Government so desired, Her Majesty's Government would be glad to furnish the Italian Representative at Tangier, through Her Majesty's Legation, with information from time to time as to the course of negotiations.

I am, &c.

(Signed) SALISBURY.

No. 19.

The Marquis of Salisbury to Sir J. Drummond Hay.

(No. 7. Commercial)

Foreign Office, January 30, 1886.

Sir,

WITH reference to your despatch, No. 4, Commercial, of the 13th instant, I transmit to you, for your information, Memorandum giving the substance of a verbal communication made by Baron von Plessen on the 25th of this month, relative to the nomination by the Sultan of Morocco of Commissioners for the purpose of entering upon commercial negotiations with the Representatives of Great Britain and Germany.*

I am, &c.

(Signed) SALISBURY.

No. 20.

Verbal Communication made to Sir J. Pauncefote by Baron Plessen on February 1, 1886, *of substance of Instructions to the German Ambassador at Paris, under date of January* 27, 1886.

THE French Ambassador at Berlin has repeatedly made oral reference to the question of France's participation in the negotiations at present pending at Tangier with the object of securing the conclusion of a Treaty of Friendship, Trade, and Navigation between Morocco, Germany, and Great Britain, and has stated, in pursuance of instructions from his Government, that the latter would be prepared, in case this met our wishes, to "associate" itself with our negotiations.

A similar suggestion has also been made by the French Government to the London Cabinet.

Since the Imperial Government has come to an agreement upon the matter with the English Government, the German Ambassador at Paris has been requested to inform

* No. 16.

M. Freycinet that the German Government could not but desire the participation of France in the German-English negotiations. His Excellency has been at the same time requested to add that it would doubtless contribute to the successful prosecution of the negotiations if the French Government would likewise adopt the German-English draft Treaty as the main basis of its own negotiations. The English draft has, as the German Government are informed, been communicated by the British Representative at Tangier to the French Envoy at that place.

The German Government, also, are quite ready to acquaint the French Government with the draft which forms the basis of their negotiations.

In reference to this proposal the German Government are guided solely by the endeavour to begin the joint negotiations in Tangier as soon as possible, so as to leave no pretext for the policy, systematically followed by Morocco, of delaying these negotiations, while, for the rest, they do not wish in any way to trammel the freedom of the French Government's decisions.

No. 21.

The Marquis of Salisbury to Sir J. Drummond Hay.

(No. 8. Commercial. Confidential.)

Foreign Office, February 2, 1886.

Sir,

I HAVE to acquaint you that the Spanish Minister called at this Office on the 11th ultimo, and, with reference to the proposed commercial negotiations with Morocco, expressed a wish that his Government should co-operate in those negotiations, in which it was understood that the Governments of France and Germany were about to take part in common with Her Majesty's Government.

The Marquis de Casa Laiglesia alluded to the Conference which took place at Madrid on the subject of Morocco, resulting in the Convention dated the 3rd July, 1880, and which he seemed to think entitled his Government to participate in the proposed negotiations.

The above application on the part of the Spanish Government has formed the subject of communications between this Department and the Representatives of France and Germany in London. No answer has so far been received in the matter from the French Government; but it has been intimated that the German Government will defer returning a reply until after receipt of a Report from their Representative in Morocco, whom they have consulted on this question.

I am, &c.

(Signed) SALISBURY.

No. 22.

Sir J. Drummond Hay to the Marquis of Salisbury.—(Received February 3.)

(No. 9. Commercial.)

Tangier, January 26, 1886.

My Lord,

QUESTIONS have frequently arisen between British and Moorish subjects regarding mercantile accounts, notes of hand, and debts, when the evidence produced may be letters, mercantile books, and witnesses, Christian or Jewish.

Though such evidence is rejected as invalid, according to the Mahommedan law, called Shrâa, at the Tribunal of the Kadi, attempts have frequently been made by the Moorish authorities to refer questions of this character, when the British subject is the plaintiff, to the Kadi's decision.

When the evidence produced by a British subject has consisted of notarial documents drawn up according to the Shrâa and signed by a Kadi, it is customary and right that the case should be referred to his Tribunal.

When I visited the Court in 1868, I brought this matter under the consideration of the Sultan, and obtained His Majesty's reply from the Vizir at that time, Cid Tayeb El-Yamany, agreeing to my proposition that in cases when the evidence produced is not based on notarial documents signed by a Kadi, they are to be referred to arbitrators selected by a Moorish authority and Consular officer.

As the Sultan took no formal steps to make this known to his authorities at the ports,

the latter have frequently attempted to refer mercantile questions to the Kadi's Tribunal, giving thereby rise to a troublesome correspondence.

As the Convention of 1856 is now being revised, I have thought it advisable that a new Article should be inserted in the revised Convention embodying the agreement that had been come to in 1868.

I communicated both with the German and French Ministers on the subject, and they concurred with my views.

I have made known also to the Moorish Commissioners my intention to recommend that a new Article should be introduced, but I told them that before I gave them a translation of it, I should refer to Her Majesty's Government for instructions.

I have the honour to transmit a draft of the proposed new Article for amendment, and shall feel obliged by an early reply.

I have, &c.
(Signed) J. H. DRUMMOND HAY.

Inclosure in No. 22.

Proposed new Article.

ALL differences, disputes, or other causes of litigation arising between British and Moorish subjects regarding mercantile accounts or debts, where the evidence produced does not consist of notarial documents drawn up according to the "Shrâa," * shall be adjusted in the following manner:

The "Naïb" † of the Sultan or Governor of the town and the British Consular Officer shall select each an equal number of persons, who, after taking cognizance of the written and oral evidence produced by both parties, shall adjudicate thereupon.

Should the persons thus selected differ, then the Naïb of the Sultan or Governor of the Town and Consular officer shall select an Umpire, a subject of another Foreign Power, whose award shall be final.

The persons selected as Arbitrators by the Governor and Consular Officer shall not be relatives of the litigants, or have any interest in the question at issue.

No. 23.

The Marquis of Salisbury to Sir J. Drummond Hay.

(No. 9. Commercial. Confidential.)

Sir, *Foreign Office, February 4*, 1886.

WITH reference to previous correspondence on the subject of the commercial negotiations with Morocco, I transmit to you herewith, for your information, a Memorandum embodying the substance, as communicated verbally to this Office, through the German Embassy, of an instruction addressed by the German Government to their Ambassador in Paris, respecting the participation of France in those negotiations.‡

I am, &c.
(Signed) SALISBURY.

No. 24.

Sir J. Drummond Hay to the Marquis of Salisbury.—(Received February 6.)

(No. 10. Commercial.)

My Lord, *Tangier, January 27*, 1886.

M. TESTA and M. Weber have been engaged with the Moorish Commissioners in negotiating a General Treaty between Germany and Morocco, and yesterday M. Weber called to read to me a French translation of the German text, as I am not conversant with the latter language. Whilst he read, I collated the stipulations with those of the British Treaty of 1856, and found that very few alterations had been made, and those that had been introduced were of an unimportant character.

I have the honour to transmit copy of the notes I took during the lecture of the Treaty.

* Tribunal of Kadi.

† Meaning "Minister" or other Political Agent.—J. H. D. H.

‡ No. 19.

With reference to my despatches No. 55 of the 8th ultimo and No. 4 of the 13th instant, the Moorish Commissioners have informed the German Plenipotentiaries and myself that, though they have received the Sultan's orders to place themselves in unreserved communication with us respectively, they have not as yet received distinct instructions to attend a collective meeting, at which they, the German Plenipotentiaries, and myself may be present. We have addressed similar notes to the Court to require that instructions should be promptly dispatched to all the Commissioners to attend the meetings that may be held, pointing out that needless delay and confusion will otherwise be produced.

To obviate further delay now that the negotiation of the General Treaty between Germany and Morocco has been concluded, MM. Testa and Weber and I have agreed to meet, and after coming to an understanding as to the alterations or modifications to be introduced in the Convention and Tariff, and the arguments to be put forward in support of our joint recommendations, to communicate separately to the Commissioners, in identic language, the result of our deliberations, and to request the five Commissioners to meet and make known to us the observations they may have to present in reply.

From information I have obtained through the reports of merchants engaged in the Morocco trade, I learn that prices of grain and wool have fallen to such an extent in England and other parts of Europe that even the lower duties on those articles inserted in the revised Tariff of the draft of the Convention of 1880-82, will have to be considerably reduced.

I have received tabular statements from merchants, which show that, at present prices in England, grain bought in Morocco, after payment of freight and expenses, and the duties proposed in the draft Convention of 1882, would, on sale in England, leave no margin for profit to the merchant; in fact, that as regards grain and wool, unless the duties are greatly reduced, no business will be done in those articles, which are the chief produce of Morocco.

I have received also from a member of a highly respectable British firm, who had been employed to sell in England wheat and barley, the property of the Sultan, a statement showing that the proceeds of the sale, after payment of freight, &c., gave a very small profit on the price of that grain in the Moorish market, and that even, had only one-third of the duty as fixed in the old Tariff been levied, the Sultan would have been a loser.

These statements and arguments will be presented to the Commissiouers, but I am not at all sanguine in expecting that they will be disposed to agree to any great reduction of duties for fear of incurring the Sultan's displeasure.

The German Plenipotentiaries have not yet received instructions from Berlin to act in concert with the French Minister, but I shall keep the latter informed of what is passing. It is partly on this account also that better progress has not been made in the negotiations.

I have, &c.
(Signed) J. H. DRUMMOND HAY.

Inclosure in No. 24.

Memorandum.

M. WEBER called on Sir J. Drummond Hay, on the 26th January, and read to him in French the draft of the General Treaty between Germany and Morocco, which the Moorish Commissioners had accepted, and which is to be referred to the Sultan for His Majesty's approval.

The wording of the stipulations was, with some unimportant modifications, similar to that in the General Treaty between Great Britain and Morocco of 1856.

In an Article identic to Article III of the British Treaty, a clause has been introduced referring to the Madrid Convention of 1881. In a passage of the same Article which refers to the privilege of Diplomatic and Consular officers, to have goods, &c., for their domestic use passed through the Custom-house free of duty, the additional words, "seal of office to be affixed" were inserted after "note of hand."

In an Article identic with Article IV of the British Treaty, an additional clause is inserted, in which, according to the Madrid Convention of 1881, it is stipulated that German subjects shall be allowed to possess herds, and flocks of animals, and beasts of burthen.

In an Article similar to Article VII of the British Treaty, a clause is added stipulating that German Consular officers shall not be held responsible for debts contracted by German subjects who may leave Morocco.

In an Article similar to Article IX of the British Treaty, the Court of Appeal for the Moorish subject, when he is plaintiff in cases of litigation, is not that of the German Representative, but the "High Court of the German Empire."

In an Article similar to Article X of the British Treaty a clause* is inserted that should a Moorish subject be prosecuted for debt, and pay the amount due on being summoned, he shall not be compelled to proceed to Tangier, or other port where the creditor resides.

With reference to Articles XXIII, XXIV, and XXV of the British Treaty, an addition clause is inserted to the effect that if war takes place between Germany and another Power, and an armed German vessel should happen to meet a Moorish merchant vessel on the open seas, and desire to search for contraband of war, the German vessel shall not approach the Moorish vessel nearer than gun-shot, but send a boat to communicate with the vessel.

(Signed) J. H. DRUMMOND HAY.

January 26, 1886.

No. 25.

M. Catalani to the Marquis of Salisbury.—(*Received February* 6.)

(Translation.)

My Lord, *Italian Embassy, London, February* 4, 1886.

I DID not fail to communicate to His Majesty's Minister for Foreign Affairs the message given to me by Mr Bourke, by your Excellency's direction, on the 26th ultimo, "that if the Italian Government wished it, the Foreign Office would instruct Her Majesty's Representative at Tangier to keep the King's Minister in that city informed from time to time of the negotiations for a new Treaty of Commerce between England and Morocco."

In reply, I am instructed by his Excellency the Count Robilant to offer your Excellency his best thanks for this offer, which the Italian Government accept with pleasure; and to state that the Italian Minister at Tangier will soon receive instructions to place himself in communication with the British Minister on this subject.

I have, &c.

(Signed) T. CATALANI.

No. 26.

The Earl of Rosebery to Sir J. Drummond Hay.

(No. 10. Commercial.)

Sir, *Foreign Office, February* 8, 1886.

I APPROVE the draft of which a copy is inclosed in your despatch No. 9, Commercial, of the 26th ultimo, of a new Article to be inserted in the revised Convention with Morocco, embodying the agreement come to in 1868 between yourself and the Sultan, providing that in cases regarding mercantile accounts between British and Moorish subjects, when the evidence produced is not based on notarial documents signed by a Kadi, they are to be referred to Arbitrators selected by a Moorish authority and Consular officer.

I am, &c.

(Signed) ROSEBERY.

No. 27.

The Earl of Rosebery to Sir J. Drummond Hay.

(No. 11.)

Sir, *Foreign Office, February* 9, 1886.

I HAVE had under my consideration your despatch, with its inclosure, No. 10, Commercial, dated the 27th ultimo, relative to the action taken by you, in concert with the

* This clause was, I believe, inserted at the request of the Moorish Commissioners.—J. H .D. H

German Plenipotentiaries, with a view of commencing commercial negotiations with the Moorish Commissioners; and I have to convey to you my approval of your proceedings as reported in the above-mentioned despatch.

I am, &c.

(Signed) ROSEBERY.

No. 28.

*The Earl of Rosebery to Viscount Lyons.**

(No. 9. Commercial.)

My Lord, *Foreign Office, February* 9, 1886.

WITH reference to previous correspondence, I have to acquaint your Excellency that Baron von Plessen called at this Office on the 16th ultimo to state that the views of the German Government regarding the wish of the Portuguese Government to join in the proposed commercial negotiations with Morocco were in perfect harmony with those entertained by Her Majesty's Government, viz., that very probably the Representatives of other Powers would also wish to take part in these negotiations, and that inconvenience might ensue from a negotiation conducted by a number of foreign Representatives at Tangier; whereas the terms of the commercial arrangements which are about to be entered into by Morocco with Great Britain, Germany, and France will no doubt be eventually extended to other Powers; and these Powers, including Portugal, will not be injured by their not directly taking part in the negotiations now in progress.

Baron von Plessen added that the German Representative at Lisbon has been instructed to convey the refusal of his Government to accede to the application made by the Portuguese Government at Berlin.

I am, &c.

(Signed) ROSEBERY.

No. 29.

The Earl of Rosebery to Sir J. Drummond Hay.

(No. 13. Commercial.)

Sir, *Foreign Office, February* 10, 1886.

WITH reference to your telegram of the 17th ultimo, I inclose, for your information, a translation of a note from the Italian Chargé d'Affaires at this Court accepting the proposal made to the Italian Government that you should from time to time inform the Italian Representative at Tangier of the progress made in the commercial negotiations with Morocco.† The Italian Minister at Tangier will, no doubt, communicate with you on the subject. I have to request you to keep him informed as arranged.

I am, &c.

(Signed) SALISBURY.

No. 30.

Sir J. Drummond Hay to the Marquis of Salisbury.—(*Received February* 17.)

(No. 12. Commercial. Confidential.)

My Lord, *Tangier, February* 10, 1886.

I HAVE the honour to acknowledge the receipt of your Lordship's Confidential despatch No. 8 of the 2nd instant, acquainting me that the Spanish Minister had expressed a wish that his Government should co-operate in the negotiations of the Convention of Commerce in the same manner as the Governments of France and Germany, and that your Lordship had learnt that the German Government will defer giving a reply upon this proposition until after the receipt of a Report from their Representatives here, whom they have consulted.

MM. Testa and Weber informed me some days ago that they had written to the Government at Berlin upon this question in the same sense as I had expressed myself to

* Also to Mr. Scott (No. 8). Mr Petre (No. 7), and Sir J. Drummond Hay (No. 12).

† No. 25.

your Lordship regarding the proposition that the Portuguese and Italian Governments should take part in the negotiations.

In a conversation I had with the Spanish Minister, M. Diosdado, last month, and also since the receipt of your Lordship's despatch, he informed me that no suggestion had been made by him to the Government at Madrid to take part in the negotiations, as he did not consider that any utility would result from such action, as, whatever advantages might be obtained in a new Convention, they would have to be ceded also to Spain. I made known without reserve to M. Diosdado the progress of the negotiations, and told him I should be happy to keep him informed of anything further that might occur of interest.

I have, &c.
(Signed) J. H. DRUMMOND HAY.

No. 31.

Sir J. Drummond Hay to the Marquis of Salisbury.—(Received February 17.)

(No. 13. Commercial.)

Tangier, February 10, 1886.

My Lord,

M. FÉRAUD has informed me that he has received a telegram from his Government making known to him that the German Government has agreed that he should take part in the negotiations of the Convention of Commerce.

I received yesterday a letter from the Vizier Garneet informing me that the Sultan has sent orders to the several Commissioners appointed to treat with the German Plenipotentiaries and myself to place themselves in communication also with M. Féraud regarding the negotiations.

This arrangement is in accordance with the wishes of the latter, who had informed the Shereefian Government that separate Commissioners to treat with him were not required.

I have, &c.
(Signed) J. H. DRUMMOND HAY.

No. 32.

Mr. Turner to the Earl of Rosebery.—(Received February 18.)

Chamber of Commerce, Manchester, February 16, 1886.

My Lord,

AT the request of my Board of Directors, I beg to inclose, for your Lordship's perusal, a copy of a letter, with its inclosure, which has been received from a most influential firm, who are members of this Chamber.

The documents relate to the Tariffs of the Empire of Morocco, and will themselves sufficiently explain the motives of the application to this Chamber.

I have, &c.
(Signed) J. FOX TURNER, *Secretary.*

Inclosure 1 in No. 32.

Messrs. Schuster, Fulda, and Co. to the President of the Manchester Chamber of Commerce.

12, *Sackville Street, Portland Street, Manchester, February 15, 1886.*

Sir,

WE beg to hand you herewith a translated extract of a letter we have lately received from one of our most valued clients in Tangier, who is one of the largest merchants in Morocco.

We shall feel obliged if you will forward the same to the Foreign Office, and we are, &c.

(Signed) SCHUSTER, FULDA, AND Co.

Inclosure 2 in No. 32.

Extract of Letter.

(Translation.) *Tangier, January 20, 1886.*

I HAVE to tell you that at present a most important question is before us, one might say the life or death of this country. I refer to the new Treaty between England and Morocco, which for many years the Sultan has been trying to put off, but which the English Government has finally and formally demanded through its Minister, Sir John Hay, saying that under no circumstances would England wait any longer, and that the affair being of extreme interest to English commerce, it was absolutely necessary that negotiations should at once be commenced. Seeing himself so hardly pressed by the manner in which it was demanded, the Sultan had no alternative but to conform, because, beside England, Germany had for many years been demanding the same thing, and he could not put off the two Ministers any longer. He has sent two Commissioners to negotiate with the English Minister, and two to negotiate with the German Minister, so that both Legations are now extremely busy with these negotiations, which, unfortunately, will take some to settle definitely, because the Sultan's Envoyés are obliged to consult with him (the Sultan) about everything which is required of them.

According to what we are told, it appears that Sir John Hay is very well disposed in favour of commercial interests. The same thing may be said of the German Minister. They both consult together so as to be in accord in what they ask from the Sultan, seeing that whatever advantage is obtained by one of them is given to the others. Germany is trying hard to open up her relations with Morocco by introducing her manufactures here and importing then the products of Morocco.

The Englishman as well as the German know perfectly which are the most important reforms to be introduced in the new Treaty; it is therefore to be hoped that both will use their best energies in obtaining them from the Sultan. I will cite you the two most important:—

1. Oblige the Sultan to permit the exportation of corn and barley with a reasonable duty, a thing he would never permit, even when the crops in many years were so abundant that the greater part of them were kept stored in the ground, having no value; so that there were immense quantities of corn kept below the sod for many years, of course becoming earth itself again. It is necessary that the duties to be fixed should be moderate, so that we may advantageously compete with the corn of America and Russia, which is becoming cheaper every year.

2. Oblige the Sultan to reduce the duties on other grain, such as maize, beans, peas, lentils, fenigreek, millet, &c., for which the present duty is 9*s.* per quarter, which signifies 100 per cent. on beans and peas, and 150 per cent. on other poor grain, such as lentils, fenigreek, millet, &c. The present duties ought to be reduced at least by half, so that the poor labourer may be recompensed for his work, and gain sufficient to purchase clothes and other commodities. As it is, with this cursed system of such exorbitant duties, he gains so little for his crops that many of them, the greater part of them, in fact, abandon sowing altogether, preferring to live by begging; whilst, if they were able to get a reasonable value for their crops, agriculture, which is the only resource of this country, would be increased to an admirable extent, because the land is as fertile as any in the world; the exportation of Moorish grain would be augmented a hundredfold; and you can imagine the extent the importation from Europe would take, but from England (Manchester) especially, as all the comfort and luxury of the Moors consist in dressing themselves well. Food costs almost nothing, and they will eat anything so that they may be well dressed.

The commercial community of this country is waiting with anxiety to see the result of these Treaties, looking upon them as a matter of life and death, because, with the reforms which I have indicated, the change which this country has to undergo will be extraordinary; and everybody prays that Sir John may be on this occasion as energetic as is desired, and sustain his demands without hesitation until he succeeds in his intention. If he comes out victorious, as we all desire and hope, then Sir John Hay will close his long career of forty years with his greatest feat, doing the largest service to his country to Morocco, and to all its inhabitants.

No. 33.

The Earl of Rosebery to M. Catalani.

M. le Chargé d'Affaires, *Foreign Office, February* 19, 1886.

I HAVE the honour to acquaint you that, in conformity with your note of the 4th instant, a despatch has been addressed to Her Majesty's Minister at Tangier to the effect that the Italian Government concurred in the suggestion that Sir J. D. Hay should keep his Italian colleague informed as to the progress of the commercial negotiations with Morocco; it being at the same time understood that the Italian Minister at Tangier would communicate with Sir J. D. Hay on the subject.

I have, &c.
(Signed) ROSEBERY.

No. 34.

Mr. Bryce to Mr. Turner.

Sir, *Foreign Office, February* 19, 1886.

I AM directed by the Earl of Rosebery to acknowledge the receipt of your letter dated the 16th instant, inclosing a translation of a communication received by Messrs. Schuster, Fulda, and Co., from one of their correspondents at Tangier, relative to the commercial negotiations now pending between the Sultan of Morocco and the Governments of Great Britain and Germany.

I am, in reply, to suggest, for the consideration of the Manchester Chamber of Commerce, that it would be well that the merchants at Tangier interested in these negotiations should give Sir J. D. Hay the benefit of their experience and advice. The Chamber may rely on Sir J. D. Hay using his best endeavours to conclude a satisfactory Treaty, a fact which is admitted in the papers which accompany your letter; but it is at the same time to be borne in mind that there are considerable difficulties in the conduct of these negotiations.

I am, &c.
(Signed) J. BRYCE.

No. 35.

The Earl of Rosebery to Sir J. Drummond Hay.

(No. 14. Commercial. Confidential.)

Sir, *Foreign Office, February* 22, 1886.

I APPROVE the language held by you to Señor Diosdado, the Spanish Minister at Tangier, as reported in your despatch No. 12, Confidential, dated the 10th instant, with regard to the commercial negotiations with Morocco.

I am, &c.
(Signed) ROSEBERY.

No. 36.

The Earl of Rosebery to M. Waddington.

(Confidential.)

M. l'Ambassadeur, *Foreign Office, February* 24, 1886.

WITH reference to the inquiry which your Excellency addressed to me on the 19th instant, respecting the proposed participation of Spain in the commercial negotiations with Morocco about to be undertaken by the Governments of Great Britain, France, and Germany, I have the honour to acquaint you that no reply has, so far, been returned on the part of the German Government to a confidential communication on this subject, which was addressed to Count Hatzfeldt by the Marquis of Salisbury on the 18th ultimo, identical in substance with his Lordship's note to your Excellency of the same date.

Her Majesty's Government have, however, been given to understand, through Her Majesty's Minister at Tangier, that the Plenipotentiaries appointed by the German

No. 36 A.

The Earl of Rosebery to Sir J. Drummond Hay.

(No. 15. Commercial. Confidential.)

Foreign Office, February 24, 1886.

Sir,

WITH reference to my despatch No. 14, Commercial, of the 22nd instant, I transmit to you, for your information, a copy of a note which I have addressed to M. Waddington on the subject of the commercial negotiations with Morocco.*

I am, &c.

(Signed) ROSEBERY.

No. 36 B.

Mr. J. Hole to the Earl of Rosebery.—(*Received March* 2.)

Association of Chambers of Commerce of the United Kingdom,

1, *Great College Street, Westminster, March* 1, 1886.

My Lord,

I AM requested by the Executive Council to inform you that at the recent annual meeting of this Association a Resolution was unanimously passed expressing satisfaction with the action of Her Majesty's Government in opening up negotiations with the Court of Morocco for a Commercial Treaty with that country, and trusting that the efforts of Sir John Hay will lead these negotiations to a speedy and successful termination.

I have, &c.

(Signed) JAMES HOLE.

* No. 36.

Emperor to negotiate with the Sultan of Morocco have expressed themselves in a sense adverse to the co-operation of Spain in these negotiations.

I have, &c.

(Signed) ROSEBERY.

No 37.

Mr. Bryce to Mr. Hole.

Foreign Office, March 4, 1886.

Sir,

I AM directed by the Earl of Rosebery to acknowledge the receipt of your letter, dated the 1st instant, conveying the substance of a Resolution passed at the annual meeting of the Association of Chambers of Commerce with regard to the commercial negotiations between this country and Morocco.

I am, &c.

(Signed) J. BRYCE.

No. 38.

Sir J. Drummond Hay to the Earl of Rosebery.—(*Received April* 17.)

(No. 16. Commercial.)

Tangier, April 7, 1886.

My Lord,

THE negotiation for the revision of the Commercial Convention of 1856, which has been conducted in concert with the German Plenipotentiaries and French Minister, was brought to a close on the 31st ultimo.

I regret to inform your Lordship that very little progress has been made. It became evident from the commencement of the negotiation that the Moorish Commissioners had not been empowered to settle or even to treat upon the most important points, which are the removal of prohibitions and of excessive duties on exports, and that the spirit of their instructions was to oppose all proposals for introducing reforms which would be beneficial to trade.

It is a great satisfaction for me, however, to be enabled to assure your Lordship that perfect unanimity prevailed between the Representatives of the three Powers. All that has been said or written to the Moorish Commissioners and Court has been of a collective character, and in the discussions that have taken place there has not been any divergence of opinion as to the language to be held or the course to be pursued.

I have the honour to transmit copies of the documents noted in the accompanying inclosure.*

In confirmation of what I have stated regarding the conduct of the Commissioners, I beg to call your Lordship's attention to the Memorandum of their observations at the meeting of the 15th March, when they declared that the duties fixed on exports or imports in the Convention of 1856 must be maintained, and that the removal or imposition of prohibitions will have to depend solely on the Sultan's will, and that no stipulations would be agreed to on such a subject.

A further argument presented by the Moorish Commissioners against the adoption of measures for the development of commercial relations with foreign countries was the apprehension entertained by the Sultan that an increase in trade, and consequent influx of foreign merchants, will be followed by an extension of protection to natives, and that the independence of the Sultan and authority of his officers, already seriously affected by the intervention and jurisdiction of foreign Diplomatic and Consular officers, would be ultimately destroyed.

In the *procès-verbal* of the meeting of the 22nd March a passage will be found where the Plenipotentiaries give an assurance to the Commissioners that they will bring under the notice of their respective Governments the language they had held respecting protection, and request that this question be taken into serious consideration. It is my intention to address your Lordship a separate despatch upon the subject of protection.

At the meeting of the 29th March, the Representatives having come to the conviction, from the language of the Commissioners, that they would not agree to the introduction of

* List of inclosures: not printed.

any of the measures proposed for the development of trade, they decided on presenting a protest, but consented to continue *pro formâ* the discussion of the remaining articles of the draft of the Convention.

On the termination of the meetings a collective note was addressed to the Vizier, of which I have the honour to inclose a translation, transmitting identic Arabic drafts of the revised Convention, together with a Memorandum of their observations on those Articles which the Commissioners declared they were not empowered to admit, and the Vizier is requested to submit these documents to the Sultan.

The draft of the Convention drawn up in 1881 has been slightly altered or modified in accordance with proposals made by the German and French Plenipotentiaries or by the Moorish Commissioners. The alterations are written in red ink.

These documents will probably reach the Sultan when on his march to the Soos district, and I expect that His Majesty will gladly take advantage of such an excuse as the present campaign to acquaint us that he defers giving any definite reply until he returns to the capital and has an opportunity of consulting his Oolama on such an important question, or other plausible grounds will be found for procrastination.

The Sultan will probably not return from the expedition to Soos until the middle of May, therefore we can hardly expect to hear his decision before the month of June.

I do not think His Majesty will agree to all the stipulations in the draft, but he may consent to authorize the Commissioners or other Delegates to discuss the duties in the Tariff, with instructions to oppose any abatement of importance, and to put forward the proposition already made by the Commissioners, that His Majesty should be left free to raise or lower duties, and to impose or remove prohibitions *ad libitum*.

Such a proposition, if it be eventually brought forward, cannot, of course, be entertained; it would be returning to the deplorable state of commercial relations with this country which existed before the Convention of 1856.

It will be a difficult task to induce the Sultan and his ignorant advisers to alter their views regarding commerce, and the importance of developing the great resources which this fine country possesses, but I trust that the the three Great Powers will persevere and continue the negotiations until a satisfactory result is obtained.

Morocco was an emporium of grain for the Roman Empire.

It is within four days' steaming of England and France, and four hours' from Europe.

The Moors are an intelligent race, as their past history tells us, and would be industrious, if there were better security for life and property.

The Great Powers will, I trust, come to an understanding that such an important mart both for exports and imports can no longer be allowed to remain closed to the civilized world through the ignorance and obstinacy of its rulers.

I retire in the month of June. My successor will probably be directed by Her Majesty's Government to proceed to the Sultan's Court to present his credentials. I beg to suggest that advantage be taken of such a mission to continue the negotiation; and as the German Minister, M. Testa, will also probably be directed to visit the Moorish Court, it would have a very good effect if he and my successor were directed to continue to act conjointly, more especially should the French Government be disposed to direct also their Minister, M. Féraud, to visit the Court and to continue to act in concert with his colleagues of Germany and Great Britain.

The Sultan might then be made to understand, in friendly but very decided language, that if he refused to listen to the propositions which were made for the removal of restrictions on trade, which would bring about the development of the resources of the country, and greatly conduce to increase his own power and wealth, His Majesty could not expect that the same interest will continue to be felt in his welfare by foreign Governments.

If at the same time the Representatives of the three Governments were authorized to inform the Sultan that they would be prepared to take into consideration and to recommend to the other Signatory Powers a proposal for the abrogation of the clause of the Convention of Madrid of 1880 regarding protection of natives, such an offer might greatly facilitate the acceptance by His Majesty of the Convention of Commerce.

I have, &c.

(Signed) J. H. DRUMMOND HAY.

P.S.—I further transmit the translation of a Memorandum delivered to the Commissioners, Cid Ahfid Berrada and Cid Muhammad Lebady, at their request, before the commencement of the negotiation with the German and French Plenipotentiaries, containing the language and arguments I had employed regarding the reduction of duties and removal of other restrictions.

The Commissioners, especially Cid Ahfid Berrada, are very intelligent, but in treating with these people we have to resort to the simplest arguments.

I have reason to know that should the Sultan empower these Commissioners to make an abatement in the Tariff, and to agree to the proposals for the removal of other restrictions they would be ready to carry out their instructions in a liberal manner.

J. H. D. H.

Inclosure 1 in No. 38.

Procès-verbal de la Séance tenue à la Légation Britannique, le 2 Mars, 1886.

Étaient présents:

M. Weber, Plénipotentiaire de Sa Majesté l'Empereur d'Allemagne;
M. le Ministre Résident d'Allemagne;
M. le Ministre de France;
M. le Ministre de la Grande-Bretagne, Doyen du Corps Diplomatique.

LA séance est ouverte à 2 heures et demie de l'après-midi:

M. Weber, d'accord avec son collègue Allemand, déclare vouloir écarter complètement le premier projet qu'ils ont d'abord discuté avec les Délégués Marocains, et se rallier sans restrictions au projet identique et unique présenté dans cette séance par les trois Représentants d'Allemagne, de France, et d'Angleterre.

M. le Plénipotentiaire de Sa Majesté l'Empereur d'Allemagne et les Ministres d'Allemagne et de France prient le Doyen du Corps Diplomatique, M. le Ministre de la Grande-Bretagne, de vouloir bien prendre la parole en leur nom pour expliquer aux cinq Delégués Marocains: Hafid Berrada, El Hadj Mohammed Subbadi, El Hadj Mohammed Bennani, Faradj, et El Hadj Mohammed Raghoun, l'objet de cette séance, et leur bien marquer l'accord des trois Gouvernements d'Allemagne, de France, et de la Grande-Bretagne, dans cette question commerciale, à laquelle se rattachent de sérieux intérêts.

Le Ministre de la Grande-Bretagne développe le point de vue auquel se placent ses collègues; il insiste sur le côté identique du projet de Convention Commerciale présenté par chacun des trois Ministres, prie les Plénipotentiaires Morocains de vouloir bien en écouter la lecture, et de répondre Article par Article aux propositions qu'il contient. Au nom de ses collègues, il profite de cette circonstance pour rappeler les liens d'amitié existants entre le Souverain du Maroc et les trois Gouvernements d'Allemagne, de France, et de la Grande-Bretagne; il ajoute que son désir sincère et celui de ses collègues est de voir s'améliorer les relations commerciales entre le Maroc et les différents pays de l'Europe. En terminant, il fait des vœux au nom de ses collègues et en son propre nom pour le bonheur de Sa Majesté et la prospérité de ses sujets.

L'un des Plénipotentiaires Marocains prend à son tour la parole et remercie, au nom de ses collègues et en son propre nom, M. le Plénipotentiaire d'Allemagne et les trois Ministres, d'avoir fait allusion en termes si courtois et si gracieux à l'amitié et à la sympathie de leurs Gouvernements pour Sa Majesté Mouley Hassan. Il accepte avec reconnaissance les vœux faits par les Ministres pour le bonheur de Sa Majesté et la prospérité de ses sujets; il est convaincu de leur désir sincère de voir le Maroc prospérer et marcher dans la voie du progrès; il se fera un plaisir de soumettre à Sa Majesté, concurremment avec ses collègues, toutes les propositions qui vont être présentées dans cette séance, et il espère fermement qu'il sera possible à Sa Majesté de les prendre en sérieuse considération et d'y donner son adhésion.

Les Plénipotentiaires Marocains après s'être concertés, reconnaissent l'impossibilité où ils seraient de reprendre, séance tenante, à certaines parties du projet de Convention. Ils auraient besoin de l'avoir sous les yeux pendant plusieurs jours afin de l'étudier sérieusement dans tous ses détails; alors seulement ils seraient en mesure de donner leur opinion dans la limite bien entendu des pouvoirs que leur a conférés le Sultan.

Les Ministres étrangers accèdent au désir exprimé par les Plénipotentiaires Marocains et leur remettent des copies du projet. Toutefois, ils leur font remarquer qu'à plusieurs reprises ils ont eu déjà avec eux de longs entretiens au sujet de cette question. Ils considèrent donc comme indispensable une lecture immédiate qui leur permettra d'indiquer dès à présent à l'attention des Plénipotentiaires Marocains les points principaux du projet, et de fournir séance tenante les arguments à l'appui. Et au cours de la lecture les

Ministres ont fait les remarques suivantes relativement aux différents Articles qui ont nécessité des modifications ou des additions:—

Article VI. En ce qui regarde les draps fins, les soieries, brocats, velours, fils d'or, l'ambre, le corail, les colliers et perles ordinaires, les Représentants des trois Puissances précités considèrent comme indispensable de ne soumettre ces produits importés qu'à une taxe réduite. Sa contrabande éhontée dont ces produits sont l'objet est de notoriété publique. Il suffit pour s'en convaincre de compulser les registres de la Douane, où pas une de ces marchandises ne figure dans les colonnes des perceptions.

La proposition relative à un droit réduit est donc faite dans l'intérêt de Sa Majesté, car il favoriserait sans nul doute l'importation par les moyens avouables de ces objets de commerce, et permettrait aux négociants honnêtes de faire une concurrence sérieuse aux contrebandiers, dont les gains ne sauraient dans ces conditions compenser les risques.

Article X. Dans le but de faciliter le commerce local, et aussi par esprit de justice, afin d'éviter aux navires à vapeur les dommages provenant de la perte de temps, les Ministres réclament d'urgence en faveur des commandants des dits navires le droit de recourir aux mahones des particuliers quels qu'ils soient, si, dans les six heures à partir de l'arrivée du navire, les chalands du Gouvernement n'étaient pas mis à leur disposition.

En effet, les heures représentent de l'or pour les bâtiments à vapeur, dont les frais journaliers tels que consommation de charbon, solde des officiers, et d'un nombreux équipage sont considérables. Cette attente de six heures représente donc la limite extrême des concessions consenties à ce sujet par les Ministres des Puissances.

Article . Les Ministres engagent les Plénipotentiaires Marocains à plaider sérieusement auprès du Sultan la suppression du régime prohibitif et des droits exagérés, et à bien faire comprendre à leur Souverain que la richesse des États Européens repose en grande partie sur l'exportation de leurs produits: qu'il en soit de même pour le Maroc. Plus le Maroc exportera, plus il y aura de bénéfice pour ses cultivateurs et partant pour le Trésor Marocain. Les gens de la campagne, encouragés pour le gain, cultiveront mieux et davantage, et, en temps de mauvaises années, ou même d'années de disette, leurs ressources pécuniaires suffiraient alors dans une large mesure aux besoins de leur existence, grâce aux achats qu'il leur serait permis de faire en dehors de leur pays.

Article XV. Les litiges commerciaux et toutes affaires similaires dont les pièces et documents n'ont aucun rapport avec les documents notariés dressés en conformité de la loi Musulmane, doivent être réglés par voie d'arbitrage. L'Article XV est tout à fait explicite, et il serait superflu de le paraphraser; il ne constitue, d'ailleurs, pas une innovation, car il est basé sur une disposition datée de 1868 et que Sa Majesté Sidi Mohammed, père du Sultan actuel, a bien voulu adopter à la demande du Ministre de la Grande-Bretagne. En résumé, les litiges commerciaux ne doivent pas ressortir à la juridiction du Cherâh, qui n'est pas armé pour leur réglement, et il importe de les soumettre à un arbitrage tel qu'il est expliqué dans l'Article XV.

En terminant, les Représentants des trois Puissances précitées émettent l'espoir que Sa Majesté, convaincue du désintéressement et de l'amitié de l'Empire d'Allemagne, de la République Française, et de la Grande-Bretagne, et de leur désir sincère de contribuer à son bonheur et à la prospérité de ses sujets, consentira à prendra en très sérieuse considération les mesures qu'ils viennent de recommander à l'attention des Plénipotentiaires Marocains, et auxquelles ils ont songé dans le seul et unique but d'assurer un développement plus considérable aux ressources des immenses et si riches provinces que Dieu s'est plu à lui confier.

(Signé) TH. WEBER.
TESTA.
FÉRAUD.
J. H. DRUMMOND HAY.

Inclosure 2 in No. 38.

Procès-verbal de la Séance tenue à la Légation Britannique le 15 *Mars*, 1886.

Étaient présents:

M. Weber, Plénipotentiaire de Sa Majesté l'Empereur d'Allemagne.
M. le Ministre Résident d'Allemagne.
M. le Ministre de France.
M. le Ministre de la Grande-Bretagne, Doyen du Corps Diplomatique.
Les cinq Délégués de l'Empereur du Maroc—
Hafid Berrada.
El Hadj Mohamed Lubbadi.
El Hadj Mohamed Bennani.
Faradj.
El Hadj Mohamed Raghoun.

LA séance est ouverte à 2 heures et demie de l'après-midi:

Les Représentants des trois Puissances et les Délégués du Sultan sont d'accord pour passer en revue l'un après l'autre chacun des Articles du projet de Convention Commerciale et en examiner au fur et à mesure les points discutables.

L'un des Délégués Marocains prend la parole et fait savoir que concurremment avec ses collègues il a rédigé une note de toutes les modifications que lui avait suggérées l'étude consciencieuse du projet de Convention élaboré par les Représentants étrangers; il ajoute qu'il est prêt à en donner lecture.

L'Article 1er du Projet confère le droit à tout sujet étranger de demeurer et de faire le commerce dans toutes les provinces faisant partie des États du Sultan.

Le Délégué Marocain, d'accord avec ses collègues, propose de limiter ce droit aux seules portions du territoire Marocain où le Sultan est en mesure d'exercer son autorité d'une manière efficace.

A l'unanimité les Représentants des Puissances adhèrent à la modification demandée par les Délégués Marocains et substituent à la première rédaction le texte suivant:—

"Tout étranger aura le droit de demeurer et de faire le commerce dans tous les ports et les localités où l'autorité du Sultan est établie."

Les Représentants des Puissances et les Délégués Marocains sont également d'accord pour remplacer dans l'Article 2 la mention "et toutes les autres plantes qui se fument dans les pipes," par la teneur indiquée ci-après:—

"Et toutes les herbes qui se fument ou dont on se sert comme narcotiques."

La liberté d'importation des lames de sabres, poignards, pistolets, est considérée par les Délégués Marocains comme nuisible aux intérêts de leur pays; elle leur semble constituer un danger pour les États de Sa Majesté. Ils demandent en conséquence de supprimer la clause qui la consacre.

Les Représentants des Puissances répondent à cette demande de suppression en rappelant aux Délégués du Sultan la contrebande éhontée qui est de notoriété publique au Maroc. Ils engagent les Délégués à se faire mettre sous les yeux les registres de la Douane afin de s'assurer du caractère réel de cette situation anormale. Ils recommandent aux Délégués de soumettre cette question dans tous ses détails à l'appréciation de Sa Majesté et de bien faire ressortir à ses yeux l'intérêt qu'il y aurait à favoriser, grâce à un droit réduit, l'introduction de tous les objets de commerce en général que la contrebande fait pénétrer si aisément dans le pays et dont elle est seule à tirer profit.

En présence de cette déclaration des Ministres des Puissances, un des Délégués du Sultan, *Mohamed Bennani*, demande la parole et donne lecture d'une note, rédigée d'avance, dans laquelle il déclare formellement qu'il lui est impossible de s'écarter des instructions données par Sa Majesté, et qu'il n'entend discuter aucun Article de nature à modifier ou à donner une extension quelconque aux anciens Traités; il désapprouve ses collègues de s'engager dans cette voie et de consentir à des pourparlers au sujet de questions qui froissent la dignité et les intérêts de leur Souverain.

Les Représentants des Puissances s'adressant d'un commun accord aux quatre collègues du Délégué Bennani, leur demandent si oui ou non ils ont mission du Sultan d'examiner les propositions des Ministres étrangers et l'ordre, après en avoir pris note, de les soumettre à l'appréciation de Sa Majesté?

Les Délégués Marocains répondent affirmativement, à l'exception toutefois de Bennani, qui déclare se refuser formellement à soumettre à Sa Majesté aucune des propositions nouvelles en raison de l'atteinte qu'elles portent aux Traités antérieurs.

Tous les autres Délégués reconnaissent hautement, malgré cette déclaration de leur collègue, que leur devoir est de remettre à Sa Majesté la note relative aux propositions des Ministres étrangers. La seule clause au sujet de laquelle ils ne sauraient en aucune manière exprimer leur opinion est celle relative à l'exportation des céréales: ils la soumettent purement et simplement à la haute appréciation du Sultan. L'un des Délégués prenant ensuite la parole au nom de ses collègues, propose de remettre à chacun des Ministres un exemplaire des observations que leur a suggérées l'examen du projet de Convention, et les prie de vouloir bien y répondre également par écrit. Ils ajoutent qu'ils n'ont pas les pouvoirs nécessaires pour donner leur consentement à une innovation ou modification quelconque, et que leur mission se borne à prendre note des propositions nouvelles des Ministres afin d'être en mesure de les mettre telles quelles sous les yeux du Sultan à leur retour auprès de lui.

Mohamed Bennani se sépare complètement de ses collègues et remet à chacun des Ministres une note personnelle, distincte de celle rédigée par les autres Délégués et revêtant la forme de protestation contre toutes les propositions nouvelles introduites par les Représentants des trois Puissances.

Les Ministres des Puissances précitées prennent acte du refus de Mohamed Bennani de continuer l'examen de leurs propositions.

Toutefois, l'entente s'établit sur les bases indiquées ci-dessus entre les Représentants étrangers et les quatre Délégués restants. Une copie des observations faites par les quatre Délégués Marocains sur les différents Articles de la Convention est en conséquence remise à chacun des Représentants.

Les Représentants des trois Puissances se résument en disant aux Délégués Marocains qu'après cet échange d'idées et une fois le sujet épuisé ils comptent aussi de leur côté adresser directement à Sa Majesté tous les documents élaborés par la Commission d'Examen: ils se chargent en outre de faire connaître à Sa Majesté Mouley Hassen toutes les particularités intéressantes dont le Délégué Bennani hésite à lui faire de vive voix un exposé sincère.

(Signé) TH. WEBER.
TESTA.
FÉRAUD.
J. H. DRUMMOND HAY.

Inclosure 3 in No. 38.

Note addressed by the Plénipotentiaries of the Three Powers to the Moorish Delegates at the Sitting of the 22nd March, 1886.

LE Plénipotentiaire de Sa Majesté l'Empereur d'Allemagne et les trois Ministres d'Allemagne, de France, et de la Grande-Bretagne, ont lu avec la plus grande attention la note non signée qui leur a été remise par les Délégués de Sa Majeste le Sultan à la séance du 15 de ce mois. Avant de continuer les négociations entamées, ils ont à cœur de s'expliquer, par écrit et d'une manière catégorique, au sujet des observations qu'elle renferme, et ils tiennent essentiellement à ne laisser subsister aucun doute touchant leur manière de les envisager.

Les Délégués de Sa Majesté considèrent l'écart entre le cours du douro fixé à 19 onces par la Convention de 1856, et celui de 32½ onces décrété après cette époque par Sa Majeste le Sultan, comme réduisant de moitié les droits appliqués primitivement aux exportations. Ils ignorent si en effet les droits de douane ont subi une réduction par la mesure qui a fixé un autre cours pour le douro. En tout cas cette mesure, prise sous le règne du Sultan Mului Muhammed, dénoterait une grande sagesse et une sollicitude particulière du Sultan, pour le développement du commerce, car grâce à ses idées libérales, les revenus du Trésor Impérial avaient alors augmenté par l'extension des transactions commerciales.

La nouvelle réduction que les trois Gouvernements proposent aujourd'hui au Gouvernement Marocain a précisément pour but de faciliter encore plus les opérations commerciales et d'accroître par là les revenus des Douanes. Car sans une réduction des prix du Tarif, le commerce non seulement ne pourrait pas se développer, mais au contraire, à la suite de la baisse des prix sur les marchés d'Europe, il est évident que le commerce diminuerait et finirait même par cesser, et ce serait le Gouvernement Marocain qui en souffrirait le plus par l'amoindrissement de ses revenus.

En ce qui regarde l'observation relative aux protections dont l'extension semble aux Délégués Marocains de nature à porter atteinte à l'autorité du Sultan et à entraver l'action

légitime de l'Administration locale, les Ministres s'engagent à la prendre en sérieuse considération. Elle mérite d'être soumise à l'appréciation des trois Gouvernements d'Allemagne, de France, et de la Grande-Bretagne, qui, toujours animés des meilleurs sentiments pour Sa Majesté Chérifienne, s'efforcent de remédier dans la limite du juste et du possible à un état de choses considéré par le Sultan comme préjudiciable aux intérêts de son pays.

Les Délégués de Sa Majesté déclarent en dernier lieu: "Qu'il est indispensable de maintenir les droits d'exportation et d'importation fixés par les anciens Traités: qu'il dépendra de Sa Majesté de décréter des réductions et d'autoriser la libre exportation et qu'elle le fera, d'ailleurs, lorsqu'elle le jugera convenable et en dehors de toute pression."

Cette déclaration équivaut de leur part à un refus catégorique de soumettre à la discussion des clauses figurant dans le projet de Convention.

Cependant, les réunions récentes n'ont été provoquées que dans le but d'étudier les changements avantageux sur lesquels il serait possible de s'entendre en faveur du commerce tel qu'il est compris par les nations de l'Europe.

En acceptant ce Mémorandum obstructif, les Représentants des trois Puissances semblerait par ce fait y adhérer. Leur intention est précisément d'écarter toute possibilité d'erreur touchant ce point essentiel; aussi considèrent-ils comme un devoir de le renvoyer en déclarant en outre subordonner d'une manière absolue la reprise des négociations à une modification sensible du point de vue auquel les Délégués de Sa Majesté le Sultan se sont placés en la rédigeant.

(Signé) TH. WEBER.
TESTA.
FÉRAUD.
J. H. DRUMMOND HAY.

Inclosure 4 in No. 38.

Procès-verbal de la Séance du 27 Mars, tenue à la Légation Britannique.

Étaient présents:

Les Plénipotentiaires d'Allemagne, de France, et de la Grande-Bretagne.

A LA suite de la séance du 22 Mars, les Ministres avaient notifié dans une note collective leur volonté de subordonner d'une manière absolue la reprise des négociations à une modification sensible du point de vue auquel les Envoyés de Sa Majesté le Sultan s'étaient placés dans leur Mémorandum du 15 de ce mois.

Les Envoyés du Sultan ayant répondu par la lettre satisfaisante dont ci-joint copie, les négociations sont reprises.

L'Article 1er du Projet a déjà été examiné dans la séance du 15 Mars.

En ce qui regarde l'Article 2, les Délégués Marocains demandent la modification suivante, qui est consentie par les Ministres: "l'opium et toutes les plantes similaires." Ils désirent ensuite que la mention relative à la libre importation des lames d'épée, poignards, pistolets, soit supprimée; l'introduction de ces armes dans le pays constitue en effet, disent-ils, un danger pour les États de Sa Majesté. Les Représentants répondent à cette demande de suppression en rappelant aux Délégués du Sultan la contrebande éhontée qui est de notoriété publique au Maroc; ils engagent les Délégués à se faire mettre sous les yeux les registres de la Douane afin de s'assurer du caractère réel de cette situation anormale. Ils recommandent aux Délégués de soumettre cette question dans tous ses détails à l'appréciation de Sa Majesté, et de bien faire ressortir à ses yeux l'intérêt qu'il y aurait à favoriser l'introduction de tous les objets de commerce en général que la contrebande fait pénétrer si aisément dans le pays, et dont elle est seule à tirer profit.

Cependant si, malgré leurs avertissements amicaux et désintéressés, Sa Majesté persistait à maintenir cette interdiction, ils n'ont pas, bien entendu, l'intention d'insister sur la suppression de cette mesure de police et toute autre d'ordre intérieur.

Arrivés au passage de l'Article II commençant par ces mots: "Le commerce de tous les produits agricoles," les Envoyés Marocains réclament l'accolement de la restriction suivante: "dont l'exportation est permise aujourd'hui."

Les Ministres rappellent aux Marocains les raisons pour lesquelles les négociations actuelles ont été entamées. Le but de leur trois Gouvernements est d'arriver à établir un accord avec Sa Majesté le Sultan sur des bases plus libérales que par le passé, afin de procurer au commerce du Maroc et des pays Européens des avantages absolument indispensables aux transactions réciproques. L'intention des Ministres est précisément

d'insister de la manière la plus sérieuse auprès du Sultan dans le but d'obtenir la suppression du régime prohibitif et des droits exagérés relatifs aux produits agricoles. C'est le point essentiel de la révision, et sans le maintien de cette clause du projet et la poursuite de ce desideratum, les réunions actuelles n'auraient pas leur raison d'être.

Les Délégués Marocains répondent qu'ils n'ont le pouvoir de rien accepter ni de rien signer. Ils soumettront à Sa Majesté le projet des Ministres et lui feront part en même temps de leurs propres observations.

Les Ministres répondent qu'ils sont dans l'intention d'agir exactement de la même manière et qu'ils enverront de leur côté au Sultan leur projet de Convention avec les raisons à l'appui.

L'Article III est examiné. Les mêmes objections faites pour l'Article II se reproduisent pour l'Article III, et les Ministres les combattent au moyen des arguments précités.

Article IV. Au passage de la clause 4e commençant ainsi: "Les sujets étrangers négociants faisant de grandes affaires d'importation ou d'exportation," les Délégués Marocains demandent à ajouter la mention suivante: "Le négociant doit être un sujet étranger et non un protégé; il faut qu'il soit connu comme négociant en gros et que la Douane en tire profit."

Les Ministres contestent formellement aux Délégués Marocains le droit de discuter en la circonstance actuelle et au cours de la révision cette question de protection, qui est complètement en dehors du sujet qu'ils ont mission de traiter.

Il ne leur appartient pas à eux qui, de leur propre aveu, n'ont le droit ni de conclure, ni de signer un accord quelconque, d'aborder ce sujet très important et très grave, l'un des plus sérieux assurément dont on se soit occupé dans les Conférences précédentes et dont le réglement a été fixé par les négociateurs de la Convention signée à Madrid le 3 Juillet, 1880. Si ses observations sont présentées d'une mànière incidente et en dehors des négociations actuelles par les Délégués Marocains, si, en exposant aux Ministres étrangers les inconvénients qui résultent de l'extension des protections, les Délégués Marocains se font l'écho des confidences faites à ce sujet par leur Souverain, alors ils consentent à les prendre en considération, à en écrire à leurs Gouvernements, et à rechercher de leur côté les moyens propres à y porter remède; mais ils n'entendent pas qu'un rapport quelconque soit établi par les Délégués Marocains entre cette question bien distincte et celle dont on s'occupe, à savoir: la révision de la Convention Commerciale.

Quant à l'adjonction proposée par les Délégués: "il faut qu'il soit connu comme négociants en gros et que la Douane en tire profit," les Ministres la considèrent comme superflue, puisque la teneur de l'Article IV de leur projet précise ce point de la manière suivante: "Les négociants faisant de grandes affaires d'importation ou d'exportation."

(Signé) TH. WEBER.
TESTA.
FÉRAUD.
J. H. DRUMMOND HAY.

Inclosure 5 in No. 38.

Procès-verbal de la Séance du 29 Mars, 1886, tenue à la Légation Britannique.

Présents:

Les Plénipotentiaires d'Allemagne, de France, et de la Grande-Bretagne, et les Délégués Marocains.

LECTURE est donnée de l'Article V.

Les Délégués Marocains ne présentent à son sujet aucune observation particulière, mais ils demandent qu'il soit complété de la manière suivante:—

"Si le Sultan défend l'exportation d'un produit du sol ou de l'industrie, on fixera aux négociants un terme de six mois pour exporter ce qui se trouve dans leurs magasins, ou ce qu'ils auraient acheté avant la prohibition. On leur accordera deux jours pour faire inscrire les documents établissant la quantité qu'ils possèdent. Tout ce qu'ils auraient acheté pendant les six mois ne pourra pas être exporté."

Les Ministres protestent formellement contre l'adjonction à l'Article V du projet d'une clause qui en définitive n'est que la reproduction de l'ancien Article V de la Convention de 1856. Ils font observer que cette opposition systématique entrave toute discussion, et annihile l'objet de la révision du Traité de 1856. Ils ont le regret de constater que depuis le commencement des séances tous les efforts des Délégués ont tendu à ériger en principe la prohibition de l'exportation des blés, et que leur intention manifeste est

d'arriver à asseoir ce monopole. Le but de la présente négociation est précisément d'améliorer la précédente Convention, et de la réviser d'après des principes plus larges; or, non seulement les Délégués Marocains s'opposent aux propositions d'améliorations présentées par les Ministres, mais encore ils s'efforcent d'aggraver les restrictions déjà existantes. En agissant de cette manière sont-ils bien convaincus de ne pas outrepasser les instructions de Sa Majesté? Quel est le but poursuivi par les Délégués? Faire admettre par les Représentants leurs mesures restrictives relativement à l'exportation des céréales afin de soustraire le pays à la disette dans le cas de mauvaises récoltes, car ce serait faire injure à l'esprit d'équité des Délégués, et mettre en doute le souci qu'ils ont assurément des intérêts réels du Maroc, que de les croire partisans du monopole d'exportation des blés afin d'en faire profiter les agioteurs et les accapareurs. Or, il est évident que le jour où le Sultan autorisera d'une manière permanente la libre exportation des céréales, les cultivateurs, certains de trouver le placement de la totalité de leurs produits, seront encouragés au travail du sol. Les particuliers et l'État profiteront largement de cette situation nouvelle, et l'insuffisance des récoltes ne serait plus ainsi, le cas échéant, une cause de calamités irrémédiables pour ce pays désormais en mesure, grâce à ses réserves financières, d'aller chercher à l'étranger de quoi pourvoir à son existence. Si le Sultan, ce dont les Ministres ne peuvent douter, flétrit le système des privilèges et des monopoles, si désastreux pour le pays qu'il gouverne, et autorise la libre exportation des blés dans les années d'abondance, il n'y a pas de raison pour qu'il désire introduire une clause restrictive en prévision de l'insuffisance de certaines récoltes, car la rareté des produits entraînant fatalement leur renchérissement, le Maroc ne saurait dans ce cas lutter avantageusement avec les autres pays sur le terrain de l'exportation des céréales, puisqu'il serait, au contraire, dans la nécessité absolue d'importer du dehors les quantités faisant défaut. Les Délégués persistant à se renfermer dans leur système obstructif, les Ministres croient de leur dignité de rédiger une protestation dont ils font part séance tenante au Délégués du Sultan.

Toutefois, par déférence pour Sa Majesté Mouley Hassan, et afin de lui donner une preuve de leur bonne volonté et de leur esprit de conciliation, les Ministres consentent à poursuivre *pro formâ* l'examen des Articles restants du projet. On passe donc à la lecture de l'Article VI. Cette clause ayant pour objet la modification du Tarif, et le Sultan ne leur ayant pas donné les pouvoirs nécessaires pour abaisser les droits quels qu'ils soient tant à l'importation qu'à l'exportation, les Délégués Marocains se chargent simplement de transmettre à leur Souverain les observations des Ministres.

En ce qui regarde l'Article VII, les Délégués Marocains réclament l'adjonction suivante:—

"On ne pourra transporter d'un port du Maroc à un autre port du Maroc que les marchandises dont l'exportation est permise."

Les Ministres en présence de cette insistance exagérée touchant la question de prohibition de l'exportation des céréales, renvoient les Délégués Marocains aux arguments développés plus haut; toutefois, et toujours dans un but de conciliation que Sa Majesté ne manquera pas d'apprécier, ils se mettent d'accord pour que le double du droit prescrit par le Tarif soit perçu à titre de garantie sur les marchandises et produits quelconques que les négociants étrangers désireraient transporter au moyen de navires étrangers d'un port du Maroc à un autre port des États du Sultan; la partie intéressée n'aurait ensuite qu'à présenter à l'Administration Douanière du port d'embarquement la quittance dûment estampillée par les bureaux de la Douane de débarquement pour rentrer dans le montant de ce double droit perçu en garantie.

Les Ministres étrangers appellent l'attention des Délégués sur l'inégalité de traitement à laquelle sont exposés les sujets de Sa Majesté, d'une ville ou d'une province à une autre, du fait des obstacles mis au commerce de cabotage, et c'est dans le but d'écarter ces obstacles préjudiciables aux intérêts de tous, qu'ils ont proposé la précédente mesure. Sa Majesté aura assurément à cœur de faire cesser cet état des choses. Les pauvres de la ville de Tanger, par exemple, ou ceux de la ville de Mogador, payent la mesure de blé à raison de 5 fr., tandis que des négociants ou des propriétaires ou des fonctionnaires riches de Casablanca, de Rabat, ou des localités de l'intérieur peuvent l'acheter pour 2 fr. Grâce à la libre exportation, et aux garanties exigées pour le transport par cabotage d'un port du Maroc à l'autre, cette injustice disparaîtrait et les intérêts légitimes de tous sans exception se trouveraient sauvegardés. Les Délégués prennent note de cette proposition afin de la soumettre à l'appréciation de leur Souverain.

(Signé) TH. WEBER.
TESTA.
FÉRAUD.
J. H. DRUMMOND HAY.

Inclosure 6 in No. 38.

Procès-verbal de la Séance du 31 *Mars*, 1886, *tenue à la Légation Britannique.*

Étaient présents:

Les Plénipotentiaires d'Allemagne, de France, et de la Grande-Bretagne, et les Délégués Marocains.

LES Ministres demandent à faire une remarque au sujet de l'Article VI dont on s'est occupé dans la précédente réunion.

Les Envoyés Marocains ayant déjà fait leurs réserves concernant l'Article VI et déclaré ne pas avoir les pouvoirs nécessaires pour consentir à une élévation ou à un abaissement des droits de l'ancien Tarif, les Ministres n'insistent pas et se réservent, ainsi qu'ils l'ont dit précédemment, de faire parvenir directement au Sultan leurs observations à ce sujet. Toutefois, en ce qui regarde le "kantar," dont le poids varie suivant les localités, les Ministres s'attachent à faire ressortir aux yeux des Délégués l'avantage qu'il y aurait à ramener cette pesanteur variable à une unité correspondant à 112 livres Anglaises, et d'établir par conséquent la perception du droit d'après cette base. Les Ministres font, d'ailleurs, remarquer qu'en pratique l'adoption de cette unité de poids a déjà été consentie depuis un certain temps dans les ports les plus importants du Maroc, et qu'il ne manque que la sanction du Gouvernement Marocain pour en faire bénéficier les autres localités du littoral de l'Empire.

L'Article VII ayant été examiné au cours de la dernière réunion, lecture est donnée de l'Article VIII.

L'Article VIII étant en définitive la reproduction du premier paragraphe de l'Article III, les Ministres l'ont supprimé et en ont fait part aux Délégués.

L'Article IX n'est l'objet d'aucune observation de la part des Délégués.

En ce qui regarde l'Article X, les Délégués ne considérant pas comme suffisant le délai de six heures, à partir de l'arrivée des navires, au terme duquel les chalands du Gouvernement doivent se mettre à la disposition des commandants des dits navires pour les opérations de chargement et de déchargement, demandent aux Ministres de vouloir bien fixer une marge plus considérable.

Aux objections des Marocains relatives aux heures de nuit que pêut-être les capitaines voudront faire entrer en ligne de compte pour la fixation du délai et à l'impossibilité pour les chalands d'entreprendre au terme du délai indiqué plus haut les opérations commerciales si l'état de la mer était inquiétant, les Ministres opposent la rédaction suivante :—

"Les six heures de délai ci-dessus mentionnées courront à partir du moment où la pratique aura été donnée au bâtiment, et ne seront calculées que sur les heures de jour." La sortie de la barque chargée d'aller prendre pratique implique en effet la possibilité de procéder aux opérations. Les Délégués demandent à ce que le Tarif des salaires de transport par chalands du Gouvernement soit élevé à un taux suffisamment rémunérateur.

Les Ministres font observer que si les particuliers, propriétaires de chalands, considèrent comme suffisants les salaires fixés précédémment, et consentent à travailler aux conditions qui leur sont faites par le Tarif existant, il n'y a pas de raison pour que le Gouvernement réclame une augmentation en faveur de ses mariniers. Ce n'est, d'ailleurs, pas un point qu'il convienne de mentionner dans la Convention, et le moment venu une Commission Mixte pourrait se réunir dans le but de le déterminer, mais une augmentation de cette nature n'est nullement justifiée quant à présent, et elle n'aurait sa raison d'être qui le jour où Sa Majesté, entrant dans une voie tout à fait libérale au point de vue commercial, l'activité augmenterait dans les ports du Maroc. Les dépôts de marchandises dans les Douanes du Gouvernement, la fixation du délai pour le retrait de ces marchandises, le montant du droit afférent à ces dépôts, points également soulevés par les Délégués, sont tous corollaires de la question primordiale, à savoir, la liberté de l'exportation des céréales et de tous les produits en général. Ils ne sauraient donc être en ce moment l'objet d'un examen de la part des Ministres. Que les Délégués exposent franchement et ouvertement à Sa Majesté la situation telle que les Ministres la leur ont fait envisager, qu'ils n'hésitent pas à mentionner à Sa Majesté l'activité et le mouvement commercial du port de Tanger, qu'ils citent cet exemple à Sa Majesté, et l'engagent de toutes leurs forces à accroître par des mesures larges et libérales les transactions commerciales dans tous les autres ports de son Empire. En se faisant l'écho des conseils désintéressés et amicaux des trois Ministres, les Délégués montreront un patriotisme réel, et donneront une preuve évidente de leur

affection respectueuse et bien entendu pour la personne de Sa Majesté Mouley Hassan. Les Délégués assurent les Ministres de leur reconnaissance; ils s'attacheront à suivre leurs bons avis, et ils ont confiance dans la sagesse de Sa Majesté, qui fera tout ce qui dépendra d'elle pour procurer au commerce étranger les avantages compatibles avec les intérêts de son pays.

L'Article XI n'est l'objet d'aucune observation de la part des Délégués.

L'Article XII est modifié de la manière suivante: "S'il y a une question entre un sujet étranger et un sujet du Sultan, ou un sujet d'une autre nation."

L'Article XIII reçoit l'adjonction suivante:—

"Les pêcheurs susdits ne pourront communiquer avec la terre sur aucun point de la côte Marocaine excepté dans les ports reconnus."

L'Article XIV est modifié ainsi qu'il suit:—

"1. Si Sa Majesté le Sultan ouvrait également au commerce 'et aux navires' étrangers.

"2. Et ces ports seraient régis par les mêmes réglementations auxquelles sont actuellement soumis tous les ports déjà ouverts au commerce étranger en ce qui regarde les droits d'importation, d'exportation, et autres."

L'Article XV sera soumis tel quel à l'appréciation de Sa Majesté par les Délégués; il en sera de même des Articles XVI et XVII.

(Signé) TH. WEBER.
TESTA.
FÉRAUD.
J. H. DRUMMOND HAY.

Inclosure 7 in No. 38.

Observations of the Moorish Delegates read at the Sitting of the 15*th March*, 1886.

(Traduction.)

Messieurs les Représentants,

IL résulte des bons conseils que vous nous avez donnés que vous désirez le bien-être de cet État et sa richesse, l'extension de son commerce et le développement de son agriculture, en établissant des droits d'exportation fixés par l'Article VI du projet de Traité dCommerce que vous nous avez communiqué le 25 Djemade-ul-Ewel, 1303.

Nous ne doutons pas de la sincérité de vos conseils, qui prouvent votre amitié pour notre Souverain et son État.

Ce que vous proposez est en vigueur dans tous les États de l'Europe, où on en à eu de bons résultats. Nous devons toutefois vous faire observer que les droits d'exportation avaient été établis *en onces*, à une époque où le douro était calculé à la Douane à raison de 19 onces. Lorsque plus tard, en vertu d'un Ordre Impérial on a fixé le cours du douro à 32½ onces, les droits d'exportation ont nécéssairement diminué de moitié.

En outre, nous vous déclarons que la raison principale pour laquelle le Gouvernement Marocain évite d'agir, comme vous nous le conseillez, à l'instar des autres Gouvernements, est qu'il y a une grande différence entre cet État et les autres Puissances; en Europe chaque État gouverne tous ceux qui résident dans le pays; au Maroc, le contraire a lieu, car chaque nation qui s'y trouve gouverne elle-même ses administrés; et outre cela, le nombre des protégés ayant augmenté, il en résulte plus de mal que de bien pour le Gouvernement. Avant de penser à faire le bien, le Gouvernement tâche d'éviter les torts, et s'il reconnaît la nécessité de faire quelque chose pour son bien, il ne pourra pas le faire à cause des Traités, et il n'aura pas, comme les autres Puissances, sa liberté d'action.

Par conséquent, nous déclarons que les droits d'exportation et d'importation, fixé par les anciens Traités, doivent être maintenus tels qu'ils sont. Il dépendra de la volonté de Sa Majesté de faire des réductions et de permettre la libre exportation. Mais le Sultan le fera lorsqu'il le jugera à propos, et sans aucune condition.

Nous espérons que vous voudrez bien agréer nos excuses.

N.B.—This document was not signed by the Commissioners.

J. H. D. H.

Inclosure 8 in No. 38.

Reply of the Moorish Delegates to the Note addressed to them by the Plenipotentiaries of France, Germany, and Great Britain on March 22, 1886.

(Traduction.)

NOUS faisons savoir aux Plénipotentiaires d'Allemagne, de France, et de la Grande-Bretagne, que nous avons reçu le Mémorandum que vous nous restituez et qui vous avait été remis par nous dans la séance du 22 Mars, au sujet des observations que nous avions à faire sur l'Article VI de la Convention de Commerce.

Après quelques pourparlers nous étions tombés d'accord de discuter la Convention Article par Article, mais Hadj Ahmed Bennani a jugé opportun d'agir autrement. Nous vous avions dit que nous avions deux papiers à vous remettre : l'un contenant nos réponses aux différentes Articles de la Convention ; l'autre contenant notre opinion sur l'Article VI ; si nous pouvions arriver à une entente avec vous, c'était bien ; sinon, nous devions poursuivre la discussion des Articles un à un.

Vous nous avez répondu que puisqu'il en était ainsi, nous devions remettre à chacun des Représentants les deux papiers. C'est ce que nous avons fait ; mais en faisant cela, notre but n'était pas de refuser de remplir notre devoir. La cause qui a arrêté les négociations est ce qui s'est passé dans la dernière séance.

En vous prévenant de ce qui précède, nous vous déclarons que nous devons nous réunir pour discuter tous les Articles et nous attendons que vous nous préveniez du jour de la prochaine réunion.

Nous avons pris connaissance du contenu du Mémorandum que vous nous avez envoyé le 17 Djemadi II, 1303 (le 24 Mars, 1886), et nous l'enverrons en copie à Sa Majesté Chérifienne.

(Signé) HAFID BARRADA.
MOHAMED LEBADY.
ALARBY FERJ.
MOHAMED ARAGON.

Le 19 *Djemad II*, 1303 (*le* 26 *Mars*, 1886).

Inclosure 9 in No. 38.

Protest addressed by the German, French, and British Plenipotentiaries to the Moorish Delegates, March 29, 1886.

(Traduction.)

AU début même des séances relatives à la révision de la Convention de 1856 les Représentants des trois Gouvernements d'Allemagne, de France, et de la Grande-Bretagne ont le regret de constater la résistance systématique opposée par les Délégués Marocains à toutes les propositions tendant à améliorer les relations commerciales entre le Maroc et les pays d'Europe.

Non seulement ils ont repoussé les demandes d'amélioration qui leur étaient présentées, mais ils ont manifesté des tendances à rétroagir dans un sens restrictif à l'égard des Articles de la Convention de 1856, dont la teneur leur semble encore trop favorable aux intérêts du commerce en général. En un mot, ils se sont montrés contraires en tous points à l'objet que les Gouvernements d'Allemagne, de France, et de la Grande-Bretagne se sont proposé en provoquant cette négociation.

Les observations écrites qu'ils opposent aux Articles du Projet des Ministres n'étant pas de nature à faire pressentir une atténuation du point de vue auquel ils se sont placés jusqu'à ce moment, les Ministres déclarent ne pas pouvoir, sans aller à l'encontre des instructions identiques de leurs Gouvernements, accepter en s'abtenant de toute protestation, ce fait d'avoir à discuter avec des Délégués venus manifestement avec l'intention préconçue de repousser toutes les demandes de modification.

Par déférence pour Sa Majesté le Sultan et afin de lui donner une preuve de leur esprit de conciliation et de leur bonne volonté, les Ministres continueront *pro formâ* l'examen des Articles restants du projet, mais ils apprécient qu'il est de leur dignité de remettre dès à présent cette protestation à MM. les Délégués Marocains.

Les Représentants des trois Puissances en référeront, d'ailleurs, à leurs Gouvernements et feront connaître directement à Sa Majesté le Sultan la nature des résistances qu'ils ont rencontrées et dont le résultat a été de rendre toute entente impossible.

(Signé) TH. WEBER.
TESTA.
FÉRAUD.
J. H. DRUMMOND HAY.

Inclosure 10 in No. 38.

Identic Letter of French, German, and British Plenipotentiaries to Vizier Garneet.

(Traduction.)

(Après les compliments d'usage.) 30 *Djemadi II*, 1303 (*le* 5 *Avril*, 1886).

LES Plénipotentiaires d'Allemagne, de France, et de la Grande-Bretagne ont l'honneur de vous transmettre ci-inclus, en vous priant de les soumettre à Sa Majesté, le projet identique de Convention Commerciale, les observations des Commissaires de Sa Majesté, la traduction des réponses faites par les Plénipotentiaires, et les copies des différentes notes échangées pendant le cours de la négociation.

Ayant reçu de leurs Gouvernements les pouvoirs nécessaires pour traiter la question relative aux droits applicables aux marchandises et aux produits d'exportation, les Plénipotentiaires ne sauraient vous cacher la surprise et le regret qu'ils ont éprouvés en entendant les Commissaires du Sultan avouer l'impossibilité où ils étaient de faire accueil à leurs propositions touchant cette question primordiale, faute de pouvoirs suffisants.

En provoquant cette négociation les trois Gouvernements ont en vue le développement de leurs relations politiques et commerciales avec le Maroc, et ils seront particulièrement satisfaits de voir Sa Majesté Chérifienne répondre avec empressement à leurs ouvertures amicales ; aussi les Plénipotentiaires demandent-ils d'une manière instante à Sa Majesté de vouloir bien conférer les pouvoirs et autorisations nécessaires à tels Commissaires ou fonctionnaires qu'il lui plaira, afin de discuter le Tarif actuellement en vigueur et d'arriver à l'établir à nouveau sur des bases plus larges et plus libérales.

Les Plénipotentiaires sont, d'ailleurs, prêts à discuter avec les Commissaires de Sa Majesté toutes propositions et modifications relatives à cette révision, pourvu qu'elles ne revêtent pas un caractère d'opposition insurmontable ou d'obstruction à l'égard des transactions commerciales entre le Maroc et les États d'Europe.

Les Plénipotentiaires sont animés des meilleurs sentiments à l'égard de Sa Majesté et du pays qu'elle gouverne. D'autre part, ils sont convaincus du bon vouloir dont fera preuve Sa Majesté toutes les fois qu'il s'agira d'améliorer les relations commerciales et politiques entre son Gouvernement et les Gouvernements Européens ; aussi ont-ils été profondément étonnés de l'attitude moins que conciliante prise par ses Commissaires.

L'opinion publique en Europe s'est déjà émue à la nouvelle de dissentiments graves survenus entre les Plénipotentiaires et les Commissaires de Sa Majesté au sujet de la révision de la dernière Convention Commerciale. Il s'agit d'effacer cette mauvaise impression et de donner sans tarder aux trois Gouvernements les meilleures assurances. Les Plénipotentiaires font donc appel de la manière la plus pressante à la sagesse et à l'esprit d'équité de Sa Majesté Mouley Hassan pour arriver dans le plus bref délai à une entente concernant les mesures toutes de progrès et d'intérêt général qu'ils soumettent à sa haute appréciation.

(Signé) TH. WEBER.
TESTA.
FÉRAUD.
J. H. DRUMMOND HAY.

Inclosure 11 in No. 38.

Draft of Convention of Commerce and Navigation between Her Majesty and the Sultan of Morocco.—(*Signed, in the English and Arabic Languages, at Tangier*, 188 .)

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the Sultan of Morocco and Fez, being desirous to extend and improve the relations of commerce and navigation which exist between their respective dominions and subjects, have resolved to conclude a special Convention for that purpose, and have named as their Plenipotentiaries, that is to say :

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Sir John Hay Drummond Hay, Her Majesty's Envoy Extraordinary and Minister Plenipotentiary at the Court of His Majesty the Sultan of Morocco and Fez ;

And His Majesty the Sultan of Morocco and Fez, Seed Mohamed Bargash, His Minister for Foreign Affairs ;

Who, after having communicated to each other their respective full powers, have agreed upon and concluded the following Articles :—

ARTICLE I.

There shall be reciprocal freedom of commerce between the British dominions and the dominions of the Sultan of Morocco. The subjects of Her Britannic Majesty may reside and trade in all the ports or other parts of the territories of the Sultan of Morocco where his authority is established in the same way as any other foreign subjects are or shall be permitted.

They shall be permitted to possess and hire houses, and to build houses, stores, or warehouses, as stipulated in Article IV of the General Treaty of the 9th December, 1856.

They shall enjoy full protection for their persons and properties, as specified in Article IV of the General Treaty; they shall be allowed to buy from, and to sell to, whom they like, all articles whatsoever, either by wholesale or retail, at all places in the Moorish dominions, without being restrained or prejudiced by any monopoly, contract, or exclusive privilege of purchase or sale whatever, except the articles enumerated in Article II of the present Convention; and they shall, moreover, enjoy all other rights and privileges which hereafter may be granted to any other foreigners, subjects or citizens of the most-favoured-nation.

The subjects of the Sultan of Morocco shall, in return, enjoy in the dominions of Her Britannic Majesty the same protection and privileges which are or may be enjoyed by the subjects or citizens of the most favoured nation.

ARTICLE II.

The Sultan of Morocco engages that there shall be in his dominions no monopolies or prohibitions of imported or exported goods, except tobacco, and all like kinds of herbs used for smoking, opium, powder, lead, ammunition of war and arms of all kinds (other than sword-blades, daggers, and pistols); and further, that there shall be no monopolies of agricultural produce, or of any other article whatsoever, in the dominions of the Sultan.

ARTICLE III.

No tax, toll, duty, or charge whatsoever, beside the export duty hereinafter mentioned, shall be imposed or demanded by any person whatsoever, in any part of the dominions of Morocco, upon or in respect of any goods or produce whatsoever which may have been purchased for exportation by any British subject; but the said goods or produce shall be conveyed from any place in Morocco to, and embarked from, any port therein, free from all other taxes or duties. No officer or subject of the Sultan shall offer any impediment to, or lay any restriction on the conveyance or embarkation of such goods or produce, or on any pretext receive any money or gift in respect or on account of such goods; and should any such officer or subject act contrary to this stipulation, the Sultan shall immediately punish with severity the Governor, officer, or other subject who shall have been guilty of such misconduct, and compensate British subjects for all injuries or losses which they may duly prove themselves to have suffered thereby.

ARTICLE IV.

The subjects of Her Britannic Majesty shall be free to manage their own affairs themselves, or to commit those affairs to the management of any persons whom they may appoint as their broker, factor, or agent; nor shall such British subjects be restrained in their choice of persons to act in such capacities; nor shall they be called upon to pay any salary or remuneration to any person whom they shall not choose to employ, as brokers or agents for buying and selling. Absolute freedom shall be given to them in their commercial transactions, and no interference on the part of the Sultan's officers shall be permitted. Should any Governor or other officer interfere to prevent bargains between British and Moorish subjects, or place any impediments in the purchase or sale of goods or merchandize imported into, or to be exported from, the Sultan's dominions, His Shereefian Majesty shall severely punish the said officer for such misconduct.

The subjects of Her Britannic Majesty who are merchants doing business on a large scale on imports or exports within the dominions of His Majesty the Sultan, whether on their own account or on that of others, shall be further entitled to select two brokers or agents, Moorish subjects, at each of the Moorish ports where they may have houses of business. These brokers or agents shall be placed under the protection of British Consular officers, in accordance with the provisions of the existing Convention of the 19th August, 1863, between France and Morocco, which was confirmed in Article X of the Convention of Madrid of the 3rd July, 1880.

ARTICLE V.

Merchandize or goods, except the articles enumerated in Article II, imported by British subjects shall not be prohibited in the territories of the Sultan of Morocco, nor be subject to higher duties than are paid on the same kind of goods by Moorish subjects, or by the subjects of the most favoured nation.

The place of origin of such merchandize and produce, as also the nationality of the ships conveying them, shall not, under any circumstances, be the cause of any difference of treatment.

All articles and produce exported from Morocco and shipped by British subjects to any country whatsoever, by any vessel whatsoever, shall be subject to no less favourable terms, when exported, than those imposed on Moorish subjects and on the subjects of the most favoured nation, except the articles enumerated in Article II.

ARTICLE VI.

In consideration of the favourable terms upon which the produce of Morocco is admitted into the territories of Her Britannic Majesty, and with a view to the extension of commercial intercourse between Great Britain and Morocco, for their mutual advantage, His Majesty the Sultan of Morocco hereby agrees that the duties to be levied on all articles imported into the territories of His Majesty by British subjects shall not exceed 10 per cent.

These goods shall be estimated according to their value when sold wholesale for cash at the port of their disembarkation, after deduction of 20 per cent.

The duty on fine cloth shall not exceed 5 per cent. on their value. Silks, brocades, velvets, gold thread, amber, coral, and beads shall pay a duty of only 2½ per cent.; and the duties to be levied on all articles and produce exported from the territories of His Majesty by British subjects shall not exceed in amount the duties marked in the following Tariff:—

Tariff of Exports.

Goods comprised in British Tariff of 1856.

(The cantar to be 112 lbs. English.)

Articles of Exportation.		Proposed Duties.
		Reals vellon.
Wheat	Strike fanega	4
Maize and durra	Full fanega	4
Barley	Strike fanega	4
All other grain	Cantar	4
Flour	"	6
Bird-seed	"	5
Dates	"	15
Almonds	"	15
Bitter almonds	"	10
Oranges, lemons, and limes	1,000	4
Wild marjoram	Cantar	4
Cummin seed	"	4
Oil	"	20
Gums	"	10
Henna	"	6
Wax	"	40
Rice	"	5
Wool, washed	"	20
" in grease	"	10
Hides, sheep and goat-skins	"	16
Tanned skins, called "felaly," "zawany," and "cochinea"	"	50
Horns	1,000	6
Tallow	Cantar	20
Mules	Head	400
Donkeys	"	60
Oxen	"	100
Sheep	"	10
Goats	"	8
Fowls	Dozen	10
Eggs	1,000	20
Slippers		5 per cent. *ad val.**
Porcupine quills	1,000	2
Ghasool (fuller's earth)	Cantar	5
Ostrich feathers	Lb.	20
Baskets	100	10
Carraway seed	Cantar	5
Combs of wood	100	2
Hair	Cantar	15
Raisins	"	10
Woollen sashes called "karazy"		5 per cent. *ad val.*
Tackawt (a dye)	Cantar	10
Tanned fleeces	"	15
Hemp and flax	"	12

* 5 per cent. duty upon all articles manufactured in Morocco is proposed, with the view of encouraging Morocco manufacturers.

Goods tariffed subsequent to British Treaty.

Articles of Exportation.		Proposed Duties.
		Reals vellon.
Amber	Cantar	10
Aniseed	"	8
Biscuits	"	5 per cent. *ad val.*
Blankets		5 " "
Carpets—		
Fine		5 " "
Ordinary	Cantar	20
Cheese	100 bundles	8
Cord of palmetto		5 per cent. *ad val.*
Cushions	Cantar	10
El jorf (cress seed)	"	10
Fasof (gum)	"	10
Goat-hair ropes		5 per cent. *ad val.*
Haicks		1
Hares	Cantar	5
Holba (tenugreek)		5 per cent. *ad val.*
Jellabs	Cantar	10
Kerme (dye)		5 per cent. *ad val.*
Leather bags	Cantar	5
Lentils	"	5
Linseed	"	2
Lupins	"	10
Orchilla	Each	½
Ostrich eggs	Cantar	4
Parings of hides, for making glue	Each	1
Partridges	Cantar	8
Pears	Each	1
Rabbits	Cantar	5
Rags	"	8
Rose-leaves	"	5
Sanush	"	8
Sesame		5 per cent. *ad val.*
Sieves	Cantar	3
Sparto grass		5 per cent. *ad val.*
Stirrups		5 " "
Tents, hair and palmetto	Cwt.	2½
Tortoises		5 per cent. *ad val.*
Trays, brass—		
Chased		5 " "
Plain	Cantar	5
Tripes	"	8
Walnuts		5 per cent. *ad val.*
Woollen thread		5 " "
" socks	Cantar	5
Zerguina (dye)		5 per cent. *ad val.*
Rugs of palmetto		

Goods which are not in the Tariff, but are occasionally exported.

Articles of Exportation.		Proposed Duty.
		Reals vellon.
Bones	Cantar	3
Butter	"	20
Canes	100	5
Honey	Cantar	10
Fibre of aloes, brooms (palmetto and leaf)	Cwt.	1¼
Crin or wool of palmetto	"	2¼
Osier	Cwt.	4
Onions		10
Salt fish	Cwt.	1
Soap	"	2
Straw		200
Sumach "mergatta"	100 pieces	5
Wool, laris, and arrar	Cwt.	
Khol		

Goods which it is proposed should be exported.

Articles of Exportation.		Proposed Duty.
		Reals vellon.
Lead ore	Cwt. ..	5
Copper ore	„ ..	5
Iron ore	„ ..	2
Other minerals	„ ..	5
Bark	„ ..	2
Cork	„ ..	4
Salts, mineral and sea, including "cru de nitre"	„ ..	½
Beef, salted	„ ..	..
„ fresh	„ ..	..

ARTICLE VII.

Should a British subject, or his agent, have imported goods into any Moorish port and have paid the customs duty upon them, and afterwards desire to convey them by sea to another Moorish port, he is at liberty to do so, and no further duty shall be levied on such goods, but the goods must be accompanied by a certificate from the Administrators of Customs at the port from which they are shipped, stating that they have paid the duty.

Grain and other articles, produce of Morocco, conveyed by sea from one port to another by British subjects, shall pay the duties fixed in the Tariff, and a receipt shall be given by the Customs officers.

A sum equal to double the amount of the duty shall be deposited on the shipment of articles the exportation of which is prohibited.

On the disembarkation of the said articles at a port of Morocco, a note of their disembarkation shall be made on the receipt by the Custom-house officers to that effect, and on presentation of the said noted receipt at the port where the goods were shipped, the duties shall be returned.

ARTICLE VIII.

No anchorage, tonnage, pilotage, or other duty or charge shall be levied on British vessels, or on goods imported or exported in them at Moorish ports, beyond what is, or may be, levied on national vessels, or on the like goods imported or exported in them at Moorish ports; they shall not, however, exceed in amount the rates of the following scale, viz. :—

1. Tariff of Anchorage Dues.

	Reals vellon.
Upon vessels not measuring more than 50 tons	20
Upon vessels measuring from 50 to 100 tons	40
„ „ 100 to 150 tons	60
„ „ 150 tons upwards	80

2. Tariff of Pilotage Dues.

The rate of pilotage at the ports of Rabat and Larache—

British vessels shall pay 80 cents of real per ton on entry, and 80 cents of real per ton on departure.

The rate of pilotage at all other ports—

British vessels shall pay 40 cents of real vellon per ton on entry, and 40 cents of real vellon per ton on departure; that is, if a pilot is employed on entry or departure.

3. Tariff of Port Dues.

British vessels shall pay equal duties at all Moorish ports. They shall pay not more than 8 reals vellon for every vessel, great or small.

No charge for anchorage or port dues shall be levied on account of British vessels which may enter the ports of Morocco for the purpose of seeking shelter from the weather, and which do not embark or discharge cargo or passengers, nor shall any charge for anchorage or port dues be levied upon fishing-vessels.

And, in like manner, no anchorage, tonnage, pilotage, or other duty or charge, shall be levied in the British dominions on Moorish vessels, or on goods imported or exported in Moorish vessels, beyond what is or may be levied on national vessels.

ARTICLE IX.

British vessels shall employ the Moorish Government boats for embarking or discharging goods; but if within six hours after the arrival of a vessel the Moorish Government boats are not placed at their disposal for the aforesaid purpose, they shall have the right of employing other boats, and shall not pay, in such case, to the port authorities more than one-half of what would have been paid had they employed the Government boats.

The six hours above mentioned shall be counted from the time the vessel shall have received pratique, and only the hours of daytime shall be included in counting the six hours.

The charges now paid for lighterage at the different ports of Morocco shall not be augmented, and the Administrator of Customs at each port of Morocco shall deliver to the British Vice-Consul a tariff of the charges now demanded for lighterage.

Should the Sultan, in accordance with the promise of His Majesty, give orders for constructing quays or breakwaters at any of the Moorish ports, or lighthouses and other improvements for the benefit of navigation, and should His Majesty think fit to impose any due on this account, it shall be done by the mutual agreement of the Moorish Government and the foreign Representatives. This due shall not exceed what may be necessary to defray the cost of such improvement.

All vessels which according to British law are to be deemed British vessels, and all vessels which according to the law of Morocco are to be deemed Maroquine vessels, shall for the purposes of this Treaty be respectively deemed British or Maroquine vessels.

ARTICLE X.

If a British subject be detected in smuggling, the goods shall be confiscated to the Sultan by order of the British Minister or British Consul at the place, and the person guilty of the offence shall be fined in an amount not exceeding treble the amount of duties leviable on the goods seized, or in case of goods not admitted to importation, treble the value of the goods at the current price of the day in the place where the seizure was effected; and failing payment of such fines, such British subject shall be imprisoned, according to his offence, for a time not exceeding one year.

ARTICLE XI.

The subjects of Her Britannic Majesty shall be entitled to purchase land, houses, stores, or other immovable property. The sale and purchase of immovable property shall not be effected until after the consent of the Moorish Government shall be obtained in accordance with Article XI of the Convention of Madrid of the 3rd June, 1880. The title-deeds and like documents shall be drawn up in accordance with the laws of Islam. Should a question arise at any time regarding immovable property between a British subject and a Moorish subject or a foreign subject, it shall be decided by the aforesaid law, and the plaintiff or defendant, as the case may be, shall have the right of appeal to the Moorish Minister for Foreign Affairs, as laid down in Article IX of the General Treaty of the 9th December, 1856, between Great Britain and Morocco.

ARTICLE XII.

British subjects shall have the right of fishing for and taking fish on the coast of Morocco.

British subjects shall also have the right of fishing for coral along the shores of Morocco, but they shall not communicate with the shore except at the sea-ports.

The masters of vessels who desire to fish coral shall apply through the British Representative at Tangier to the Moorish Minister for Foreign Affairs, who shall issue a written authority, to be delivered to the applicant on the payment of 150 dollars annually for each vessel.

British subjects fishing coral without such authority shall be fined according to the nature of the offence.

ARTICLE XIII.

The whole of the present Convention shall be applicable to all the ports in the Empire of Morocco now open to foreign trade, and to foreign vessels; and should His Majesty the

Sultan of Morocco open other ports within the limits of His Majesty's dominions, such as Mehedea, Agadeer, and Wadnoon, no difference shall be made in the levying of import and export duties, or anchorage charges, between the said ports and those ports in the Sultan's dominions which are now open to foreign trade.

ARTICLE XIV.

All differences, disputes, or other causes of litigation arising between Moorish and British subjects regarding mercantile accounts or debts, where the evidence does not consist of notarial documents drawn up according to the Mahommedan Law, shall be adjusted in the following manner: The Naib of the Sultan or Governor of the town and the British Consular officer shall select each an equal number of persons, who after taking cognizance of the written and oral evidence produced by both parties, shall adjudicate thereupon.

Should the persons thus selected differ, then the Naib of the Sultan or Governor of the town and Consular officer shall select an Umpire, a subject of another foreign Power, whose award shall be final.

The persons selected as Arbitrators by the Governor and Consular officer shall not be relatives of the litigants or have any interest in the question at issue.

ARTICLE XV.

In order that the two High Contracting Parties may have the opportunity of hereafter treating and agreeing upon such other arrangements as may tend still further to benefit their respective subjects and kingdoms, and to facilitate their commercial transactions, it is agreed that at any time after the expiration of five years from the date of the exchange of the ratifications of the present Convention of Commerce and Navigation, either of the High Contracting Parties shall have the right to call upon the other to enter upon a revision of the same; but until such revision shall have been accomplished by common consent, and a new Convention shall have been concluded and ratified, the present Convention shall continue and remain in full force and effect.

ARTICLE XVI.

The present Convention shall be ratified by Her Majesty the Queen of Great Britain and by His Majesty the Sultan of Morocco, and the ratifications shall be exchanged at Tangier in the same manner as the General Treaty which is at present in force between the two Contracting Powers.

After the exchange of the ratifications all the provisions of the present Convention of Commerce and Navigation shall come into operation without delay.

In witness whereof we, the respective Plenipotentiaries, have signed the present Convention, and have affixed thereto our seals.

Done at Tangier,

Inclosure 12 in No. 38.

Reply of the Plenipotentiaries to the Observations of the Moorish Delegates on the Articles of the Convention of April 5, 1886.

ARTICLE II. Les lames d'épée, les poignards et les pistolets, ne devraient pas être compris dans la catégorie des armes prohibées. La contrebande éhontée dont ces produits sont l'objet est de notoriété publique.

Il est de l'intérêt de Sa Majesté d'en admettre l'entrée et de leur appliquer un droit de 10 pour cent. Ce droit raisonnable en favoriserait l'importation par les moyens avouables, et permettrait aux négociants honnêtes de faire une concurrence sérieuse aux contrebandiers, dont les gains ne sauraient dans ce cas compenser les risques. Le Trésor du Sultan y gagnerait et la sécurité du pays n'y perdrait en rien, puisque la contrebande introduit depuis longtemps déjà ce genre d'armes dans le pays. Cependant, cette mesure étant toute de police et d'ordre intérieur, Sa Majesté l'adoptera si elle le juge convenable; mais les Plénipotentiaires ont pensé qu'il était de leur devoir de lui signaler cet état de choses très préjudiciable au Trésor Marocain.

Article V. En cherchant à ériger en principe la prohibition de l'exportation des céréales, les Commissaires n'ont pas compris les véritables intérêts de Sa Majesté, et du

pays qu'elle gouverne. En effet, dans les années antérieures, Sa Majesté a pu constater que l'exportation cessait du moment que les blés étaient en hausse. Dans les années de disette 1878-79 l'exportation a cessé également et quantité de farines et de grains ont dû être importés dans le pays. La prohibition de l'exportation est donc superflue, tandis que le jour où le Sultan autorisera d'une manière permanente la libre exportation des céréales, les cultivateurs, certains de trouver le placement de la totalité de leurs produits, seront encouragés au travail du sol. Les particuliers et le Trésor Marocain profiteront largement de cette situation nouvelle, et l'insuffisance des récoltes ne serait plus, le cas échéant, une cause de calamités irrémédiables pour ce pays, désormais en mesure, grâce à ses réserves financières, d'aller chercher à l'étranger de quoi pourvoir à son existence.

Article VI. En ce qui regarde les draps fins, les soieries, brocats, velours, fils d'or, l'ambre, le corail, les colliers et perles ordinaires, les Représentants des trois Puissances considèrent comme indispensable de ne soumettre ces produits importés qu'à une taxe réduite. La contrebande éhontée dont ces produits sont l'objet est de notoriété publique. Il suffit pour s'en convaincre de compulser les registres de la Douane où pas une de ces marchandises ne figure dans les colonnes des perceptions. La proposition relative à un droit réduit est donc faite dans l'intérêt de Sa Majesté, car il favoriserait sans nul doute l'importation par les moyens avouables de ces objets de commerce et permettrait aux négociants honnêtes de faire une concurrence sérieuse aux contrebandiers, dont les gains ne sauraient dans ces conditions compenser les risques.

Les Ministres engagent aussi les Plénipotentiaires Marocains à plaider sérieusement auprès du Sultan la suppression du régime prohibitif et des droits exagérés, et à bien faire comprendre à leur Souverain que la richesse des États Européens repose en grande partie sur l'exportation de leurs produits; qu'il en soit de même pour le Maroc! Plus le Maroc exportera, plus il y aura de bénéfice pour ses corporations ouvrières et ses cultivateurs, et partant, pour le Trésor Marocain.

En ce qui concerne le "kantar," dont le poids varie suivant les localités, les Plénipotentiaires s'attachent à faire reporter aux yeux des Délégués l'avantage qu'il y aurait à ramener cette pesanteur à une unité correspondant à 112 livres Anglaises et d'établir par conséquent la perception du droit d'après cette base. Les Plénipotentiaires font, d'ailleurs, remarquer qu'en pratique l'adoption de cette unité de poids a déjà été consentie depuis un certain temps dans les ports les plus importants du Maroc, et qu'il ne manque que la sanction du Gouvernement du Sultan pour en faire bénéficier les autres localités du littoral de l'Empire.

Article VII. Les Plénipotentiaires appellent l'attention des Commissaires sur l'inégalité de traitement à laquelle sont exposés les sujets de Sa Majesté et les sujets étrangers d'une ville ou d'une province à une autre, du fait des obstacles mis au commerce de cabotage. C'est dans le but d'écarter ces obstacles préjudiciables aux intérêts de tous, et de supprimer les demandes d'introduction de grains que les Légations sont obligées d'adresser en faveur de leurs nationaux et pour leurs besoins personnels, qu'ils engagent les Douanes de Sa Majesté à percevoir le double du droit prescrit par le Tarif. Ce droit serait perçu à titre de garantie sur les marchandises et produits que les négociants étrangers désireraient transporter au moyen de navires étrangers d'un port du Maroc à un autre port des États du Sultan. Toutefois, la partie intéressée n'aurait ensuite qu'à présenter à l'Administration Douanière du port d'embarquement le récépissé du port de débarquement pour entrer dans le montant du susdit droit perçu en garantie. De cette manière les pauvres de la ville de Tanger par exemple et ceux de la ville de Mogador ne seront plus exposés à payer la mesure de blé au prix double de celui payé par les négociants ou les fonctionnaires riches de Casablanca, Rabat, ou des localités de l'intérieur.

Article IX. Les Commissaires ne considérant pas comme suffisant le délai de six heures, à partir de l'arrivée des navires, au terme duquel les chalands du Gouvernement doivent se mettre à la disposition des Commandants des dits navires pour les opérations de chargement et de déchargement, demandent aux Ministres de vouloir bien fixer une marge plus considérable.

Aux objections des Commissaires relatives aux heures de nuit que peut-être les capitaines des navires voudront faire entrer en ligne de compte pour la fixation du délai et à l'impossibilité pour les chalands d'entreprendre au terme du délai indiqué plus haut les opérations commerciales si l'état de la mer était inquiétant, les Plénipotentiaires opposent la rédaction suivante:—

"Les six heures de délai ci-dessus mentionnées courront à partir du moment où la pratique aura été donnée au bâtiment et ne seront calculées que sur les heures de jour."

La sortie de la barque chargée d'aller prendre pratique implique en effet la possibilité de procéder aux opérations.

Les Délégués demandent à ce que le Tarif des salaires du transport par chalands du Gouvernement soit élevé à un taux suffisamment rémunérateur.

Les Plénipotentiaires font observer qui si les particuliers propriétaires de chalands considèrent comme suffisants les salaires fixés précédemment et consentent à travailler aux conditions qui leur sont faites par le Tarif existant, il n'y a pas de raison pour que le Gouvernement réclame une augmentation en faveur de ses mariniers. Cette mesure ne serait justifiée que le jour où, grâce à la liberté permanente de l'exportation, l'activité augmenterait dans les ports du Maroc.

Article XIV. Les mesures qui y sont proposées ont déjà été décrétées et mises en pratique à la suite d'un arrangement intervenu entre le Sultan Mohamed et le Ministre de la Grande-Bretagne; Sir John Drummond Hay peut à ce sujet donner à Sa Majesté tous les détails possibles.

(Signé) TH. WEBER.
TESTA.
FÉRAUD.
J. H. DRUMMOND HAY.

Inclosure 13 in No. 38.

Memorandum regarding the Reduction of Duties on Exports given to the Moorish Commissioners on February 15, 1886.

(Translation.)

PRICES in Europe of grain, flour, wool, &c., have fallen so considerably, in consequence of the extensive importation of these articles from America, the Black Sea, India, and Australia, that merchants will be unable, without loss, to export such articles from Morocco, unless the duties are reduced so as to leave a margin for the merchant to make a small profit. The accompanying tabular statements will aid to explain this.

The sale of Government wheat and barley in England on account of the Sultan, as noted in the tabular statements, proves that had the said grain been purchased by a merchant at the present current price in Morocco, and if a duty above 5 or 6 reals per fanega had been paid, the merchant would have been a loser. Merchants will do no business if the duties are not reduced.

No country but Morocco imposes duties on exports, with the exception of Turkey, which puts 1 per cent. on exports. The wealth of a country is derived from what it exports. Like a merchant, it becomes rich by what it sells. If a country imports goods to a greater value than it exports, specie will be withdrawn, and it will be impoverished.

If it is supposed that the revenue, in consequence of the lowering of duties on exports, will be reduced, agriculture will prosper, the farmers and population in general will increase in wealth, and will be enabled to purchase a larger quantity of imported goods which pay duty, and the supposed losses to the revenue would ere long be balanced. This is the basis of the wealth and prosperity of the populations in Europe. Certain articles inserted in the Tariff may be considered to be of small importance, and that little benefit to the revenue will result from the low duties imposed.

It must be borne in mind, however, that the poorer classes of the population who will be engaged in collecting such articles will receive wages from the exporters, and thus money is introduced into the country, industry encouraged, and the comfort of the people increased. Experience proves that the exportation of all articles of agriculture, animals included, leads to their increase instead of their diminution, for the farmers, finding a ready market, grow more grain and breed more animals. In proof of this, statistics show that the countries which export most possess most.

Restriction and duties check industry, and a disregard for these simple rudiments in trade have caused Morocco to remain stagnant and poor, when other countries have become rich and powerful, and are increasing in wealth.

The Representatives of Great Britain, Germany, and France desire the welfare of the Sultan and the prosperity of his dominions, and that the inhabitants should become wealthy and contented, and also that the revenue of the Sultan should be increased.

(Signed) J. H. DRUMMOND HAY.

No. 39.

Sir J. Drummond Hay to the Earl of Rosebery.—(*Received April* 17.)

(No. 17. Commercial.) *Tangier, April* 7, 1886.

My Lord,

WITH reference to my despatch No. 16, Commercial, of this date, and to the statement made in the *procès-verbal* of the meeting of the 15th March regarding the conduct of the Moorish Commissioner Cid Mohammed Benany, I have the honour to inform your Lordship that I received a message the following day from the Acting Minister, Cid Mohammed Torres, to request that I should refrain from giving notice to Benany to attend any more meetings of the Plenipotentiaries, as he had shown symptoms of insanity.

Subsequently to the receipt of this message, as I had been informed that Benany had exhibited to several persons a revolver, with which he expresed his intention to take the lives of various persons, declaring at the same time his special feelings of enmity towards the English, I sent a message to the authorities to request that steps should be taken to disarm him, and that it would be advisable he should return to Fez, of which capital he is an inhabitant.

Benany, hearing that the Basha had given orders to disarm him, threatened to take his life and that of his Khaleefa. He then took refuge with the Shereef of Wazan. The latter sent to me to say he had taken possession of Benany's revolver and other arms, and had directed one of his guards to attend on him day and night, and that he would take him away from Tangier on a sporting expedition, and then to Wazan, to await there the Sultan's orders.

I expressed to the Shereef my satisfaction and approval of the steps he had taken, and reported in a private letter to the Vizier Garneet the conduct of Benany, but requested that, as he was declared to be insane, the Sultan should not take steps to mark his displeasure on account of his language or conduct.

I have, &c.

(Signed) J. H. DRUMMOND HAY.

No. 40.

Sir J. Drummond Hay to the Earl of Rosebery.—(*Received April* 17.)

(No. 18. Commercial.) *Tangier, April* 9, 1886.

My Lord,

WITH reference to my despatch No. 16, Commercial, of the 7th instant, and to the language held by the Moorish Commissioners regarding protection afforded by foreign Representatives to natives, which they declared to be prejudicial to the Sultan's authority, and that His Majesty was opposed to the development of commercial relations with other countries, apprehending that it will be followed by an influx of foreign subjects and extension of protection, I have the honour to state that I am not at all surprised the Sultan entertains these views, and is therefore opposed to any extension of commercial relations with foreign countries.

In a speech of the Spanish Minister for Foreign Affairs, Señor Cánovas de Castillo, in the Cortes on the 15th February, 1880, before the conclusion of the Madrid Convention of that year, he said:—

"If the right of protection should continue to spread much longer at the rate it has been extending itself within the last few years, a phenomenon would occur unparalleled in history, for a day must arrive when the Emperor of Morocco will awake and find himself without a single subject left."

In the meetings of the foreign Representatives in 1877 and 1879, when the question of protection was discussed, I repeatedly expressed my opinion that unless the system of protection to natives, which had been introduced since 1863 in an agreement entered into between the French Representative and a Moorish Commissioner, Cid Drees Bendrees, was done away with, the government of this country would become impossible, and the interests of trade would be most injuriously affected. I transmit extracts from the *procès-verbaux* of the language I held at that time, which foreshadowed the state of affairs that has been produced by protection, and which has become one of the chief causes why the negotiation for improving commercial relations with this country has not succeeded.

As my opinions are fully developed in those documents, I will not lengthen this

despatch by repeating them, but I beg to draw special attention to the proposals I had made for the withdrawal of protection to "semsars," or native agents, and the regulations I had drawn up and submitted to my colleagues, which I then considered would suffice to insure the protection of natives sent into the interior to purchase or sell merchandize for foreign merchants. The French and Italian Ministers, at that time, entertained a different opinion, and my propositions were not accepted.

Notwithstanding the energetic language of Señor Cánovas de Castello, President at the Congress of Madrid in 1880, when he pointed out the evils which would attend the extension of protection to natives in Morocco, and was supported by the British Plenipotentiary, stipulations were concluded which confirmed the system of protection. The French Ambassador and Italian Minister at Madrid were then the chief supporters of protection, and M. Scovasso, Minister for Italy at Tangier, who proceeded to Madrid and remained there during the negotiations, and was consulted by several of the Representatives, upheld these views.

M. Scovasso has entirely altered his opinions, for he is at length convinced that if the system of protection is extended, the government of this country would become impossible, and whereas Italy has a strong interest in maintaining the existence of a neutral Power like Morocco, which occupies such an important position on the Straits and Mediterranean, he has recommended his Government to support the steps that may be taken for the abolition of protection.

M. Scovasso has lately proceeded to Mogadar to meet the Sultan as he passes by that port on his march to Soos; he informed me it was his intention to urge His Majesty to agree to the propositions that have been put forward by the German, French, and British Representatives for the development of commercial relations with Morocco, and to accept the Convention, and that he intended to hold out to His Majesty hopes, if this were done, that those three Powers, as well as Italy, would be ready to abrogate the clauses in the Convention of Madrid regarding protection. M. Féraud, the French Minister, has also expressed himself in very decided language to the German Minister and myself against the present system of protection and the abuses that have crept in. He said that wealthy Moorish subjects visited Algeria for a short time and returned provided with letters of naturalization as French citizens, and he described the vexatious questions that have been raised by them and other protected persons with this Government on account of prepos-terous and usurious claims.

It has been alleged that M. Féraud's predecessor had desired to maintain the system of protection, thinking it would finally lead to a state of chaos in the country and to the destruction of the Sultan's authority, which might facilitate hereafter the ambitious designs which France is supposed to entertain; but M. Féraud is of a different opinion, and understands that it is desirable, since Morocco adjoins French territory, that the Sultan should have the power of controlling and governing his subjects, and that it will be advantageous to French interests that the agricultural and commercial resources of Morocco should be developed.

If France entertains ambitious prospects, the military and naval forces it has at its command in Algeria will suffice to take possession of Morocco, and it will be easier to conquer a country which is prosperous than if it were impoverished by misgovernment.

I have, &c.

(Signed) J. H. DRUMMOND HAY.

Inclosure 1 in No. 40.

Extract from Procès-verbal of a Meeting of the Foreign Representatives held on the 18th July, 1877.

Language of the British and German Ministers on the Subject of Protection.

LE Ministre de la Grande-Bretagne dit :—

"Je suis disposé, pour ma part, si mon honorable collègue de France et d'autres Représentants y consentent, à proposer l'abrogation de la Convention de 1863 relativement aux agents commerciaux ("semsars") et à demander simplement l'exécution de l'Article IV de la Convention entre la Grande-Bretagne et le Maroc, qui est semblable dans l'esprit à l'Article VII du Traité entre l'Espagne et le Maroc.

"Conformément à cet Article je maintiens le droit de tout négociant des nations que j'ai l'honneur de représenter de nommer des agents dans toute partie du Maroc soumise au

Sultan, et je demanderai des lettres aux autorités pour que ces personnes puissent acheter et vendre librement pour le compte des négociants qui les emploient, et pour que l'argent et les marchandises qu'ils auront entre les mains soient inviolables.

"Je ne réclamerai pas pour ces agents indigènes l'exception des taxes et des autres impôts légaux; ils seront soumis à la juridiction Marocaine dans toute affaire n'ayant pas trait aux intérêts des négociants étrangers.

"Je considérerai comme un outrage toute tentative d'un Pacha, Cheik ou autre officier du Sultan de s'emparer sans cause justifiable de la personne ou des biens des agents.

"Je demanderai une déclaration formelle par laquelle le Gouvernement du Sultan reconnaîtra que dans le cas où un Gouverneur ou officier quelconque serait convaincu d'avoir agi envers les agents d'une manière arbitraire à la justice, la plainte sera portée devant les Tribunaux à Tanger, où le Consul de la nation du négociant qui emploi l'agent pourra être présent, ainsi qu'un mandataire du Gouverneur accusé pourra demander que l'officier Marocain soit sévèrement puni, s'il est démontré qu'il a cherché par ses procédés envers l'agent à nuire au négociant.

"Je proposerai que l'on fixe le terme d'une année pour faire l'expérience de cette combinaison, et je me joindrai volontiers, pendant ce temps, à tous mes collègues pour veiller à ce que le Gouvernement remplisse ses engagements, et dans le cas contraire je serai prêt à demander l'application de la Convention Française ou plutôt d'une Convention plus large pour protéger les vrais intérêts de nos négociants. Ma principale objection à la Convention de 1863 est le nombre de deux agents accordés seulement aux négociants, ce qui est contraire à l'esprit de la Convention Britannique de 1856, et la fausse interprétation donnée aux stipulations par plusieurs sujets étrangers sur la côte.

"Les négociants ne choisissent pas en général leurs agents parmi les sujets Marocains qui pourraient leur être utiles pour l'achat et la vente des marchandises, mais parmi les propriétaires ou négociants riches qui, par suite d'un arrangement pécuniaire avantageux, deviennent leurs associés, soit pour l'agriculture, soit pour le commerce, et passent au nom des sujets étrangers leurs bestiaux et troupeaux, &c.

"Quand les négociants étrangers ont vraiment besoin d'agents, ils paient des hommes actifs sans qu'ils aient besoin de protection pour leur service.

"Il y a, sans doute, des négociants honorables qui ne se prêtent pas à de tels abus. Une fois qu'il sera admis en principe que les agents paieront leurs taxes et autres impôts légaux du Sultan, les négociants n'auront plus le même intérêt à maintenir les abus que je viens de signaler.

"Quand, en 1856, j'ai négocié le Traité et la Convention entre la Grande-Bretagne et le Maroc, il n'y avait pas de sujets étrangers se livrant à l'agriculture ou du moins leur nombre était fort insignifiant. J'ai inséré la clause qui exempte les sujets Britanniques dans les taxes ou autres impôts, afin qu'ils ne fussent pas soumis aux contributions arbitraires personnelles, d'accord en cela avec les stipulations des anciens Traités entre le Maroc et la Grande-Bretagne. Je n'avais pas prévu alors qu'on pourrait se baser sur cela pour demander que les étrangers entreprennent des exploitations agricoles soient ainsi que leurs agents et associés exemptés des taxes dues au Sultan.

"Le maintien de cet état de choses, contraire à toute loi internationale, rendrait impossible le Gouvernement de ce pays, et si les Puissances admettaient pour leurs sujets l'exemption des taxes imposées à l'agriculture, il faudrait s'attendre a voir le nombre des personnes qui jouissent actuellement de ces privilèges et que je suppose de 800 s'élever sous peu à 8,000 et 20,000.

"Il me paraît que dans l'état actuel de la question des protections il faut envisager l'avenir et ne pas se contenter de faire des arrangements applicables pour le présent seulement.

"Je ne désire pas priver les sujets et protégés étrangers des privilèges qui tendent à favoriser le développement du commerce, mais je cherche plûtot à restreindre les abus et l'extension de ces privilèges, qui augmentent chaque jour, et qui arriveront à rendre tout Gouvernement au Maroc impossible, et feront redouter l'arrivée des étrangers, que le Gouvernement du Sultan considérera comme des ennemis venant le priver de ses droits souverains.

"Je dois observer que le Traité entre l'Espagne et le Maroc de 1861 est presque identique à celui de la Grande-Bretagne, et je suppose qu'il est basé sur les mêmes principes—le maintien de l'indépendance du Gouvernement Marocain.

"Si nous tombons d'accord pour reconnaître au Gouvernement Marocain le droit d'imposer des taxes fixes sur les sujets étrangers ou protégés, se livrant à l'agriculture, je proposerai que les agents des négociants soient soumis aux mêmes taxes pour empêcher qu'on ne leur impose des taxes arbitraires. Mais si un agent d'un négociant, ou tout autre protégé, est en possession de terres du Gouvernement, avec obligation de service

militaire, ainsi que cela est d'usage dans ce pays, il ne sera pas exempté de cé service ou sera obligé de fournir un remplaçant."

M. le Ministre d'Allemagne abonde dans le sens des déclarations de Sir John Hay, persuadé que l'exemption des taxes est une des caúses principales qui empêchent le Sultan du Maroc de faciliter aux étrangers l'établissement dans son Empire, et le privent ainsi des bienfaits du progrès et de la civilisation.

Inclosure 2 in No. 40.

Extract from the Procès-verbal of a Meeting of the Foreign Representatives on the 21st February, 1879, on the Subject of Protection afforded to Natives by the Foreign Representatives.

Address of Sir J. Drummond Hay.

Messieurs,

EN ouvrant la séance je vous demande la permission de vous présenter quelques observations, avant que nous ne prenions des décisions définitives sur les questions.

Nous sommes malheureusement obligés de reconnaître que le système du Gouvernement qui existe au Maroc est mauvais et contraire au développement des ressources de ce riche pays.

La principale cause de ce déplorable état de choses, c'est que ni les Ministres, ni les Gouverneurs, ni aucun autre fonctionnaire, à l'exception du Ministre des Affaires Étrangères, du Kadi, et des Administrateurs de la Douane, ne touchent aucun traitement du Gouvernement.

De là résultent l'injustice, la concussion, et la corruption générale.

Il est évident que ni les Gouvernements étrangers ni leurs Représentants au Maroc ne peuvent désirer la continuation d'un pareil système, imposé à sept ou huit millions d'êtres qui peuplent cet Empire. Mais d'un autre côté, il importe de considérer la position qu'occupe le Maroc vis-à-vis de l'Europe, bordant le détroit et la Méditerranée, ce qui crée un intérêt commun que ce territoire soit habité par un peuple neutre comme le peuple Marocain, au point de vue religieux et politique.

Dans ces circonstances, comme nos Gouvernements respectifs s'en rapportent entièrement aux informations que leurs Représentants leur transmettent sur l'état de ce pays, presque inconnu en Europe, relativement aux mesures à recommander pour le maintien et l'amélioration de ce Gouvernement, comme pour le développement du commerce et le progrès général du pays, une responsabilité très grave peserait sur nous tous si, dans un moment critique comme celui-ci, où les décisions adoptées par les Représentants peuvent constituer des lois internationales affectant la prospérité ou l'avenir de ce pays, nous ne cherchons pas à faire disparaître tout abus provenant de la protection aux indigènes accordée sans l'autorisation de nos Gouvernements par nos prédécesseurs, lesquels ne prévoyaient pas alors les conséquences funestes de précédent qui ont amené l'extension de cette protection irrégulière.

Vous n'ignorez pas, Messieurs, que j'ai été attaché pendant plusieurs années à l'Ambassade Britannique à Constantinople; j'ai eu alors occasion d'observer que la protection octroyée par les officiers diplomatiques et Consulaires de quelques Puissances aux indigènes, contribuât à la décadence de la Turquie, cette protection fournissant un prétexte pour s'immiscer dans les affaires intérieures et rendant ainsi sans effet les Ordonnances ou les Décrets du Gouvernement.

C'était aussi un obstacle à la perception des taxes dues par les nombreux protégés, et cela permettait à des protégés coupables de crimes ou de fraudes d'échapper des mains de la justice.

Je fais, Messieurs, cette comparaison avec la Turquie parce que je vois que les mêmes causes produisent les mêmes effets dans ce malheureux pays.

Il y a aujourd'hui trente-quatre ans que je représente la Grande-Bretagne au Maroc, et je puis constater que ce Gouvernement n'a déjà plus la même vigueur ni la même vitalité; et que chaque année il perd de plus en plus le contrôle sur ses sujets, notamment près du littoral ou résident les agents étrangers.

Je suis toujours convaincu qu'en faisant des arrangements nouveaux et stricts au sujet de ces agents avec ce Gouvernement, on pourrait faire disparaître les abus provenant de cette latitude de protection aux "semsars," sans compromettre les vrais intérêts du commerce.

Quant à la lettre de Sid Mohamed Vargas relativement aux sujets Marocains

naturalisés en pays étranger qui reviennent ici et qui provoquent des désagréments sérieux par leur conduite irrégulière, je ne doute pas qu'elle ne soit prise en considération par MM. les Représentants et leurs Gouvernements respectifs.

En conclusion, je dois observer qu'une fois que notre protection aux indigènes serait réduite aux limites prescrites par les stipulations en vigueur et en respectant l'indépendance du Souverain, nous aurions une influence plus efficace et un droit plus fort pour faire des démarches individuelles on collectives quand nons recevrons des informations authentiques à propos d'actes tyranniques et inhumains qui pourraient être commis par les autorités Marocaines.

Une fois que le droit du Sultan de percevoir des taxes de toute personne se livrant à l'agriculture serait établi, et qu'un Tarif serait formulé pour régler la perception de ces taxes, nous pourrions espérer qu'avec le temps le Sultan, voyant les bons effets d'un système d'imposition conçu dans un esprit de justice et d'égalité, pourrait être amené à adopter des mesures analogues au lieu des taxes injustes et arbitraires perçues, et du système de favoritisme pratiqué aujourd'hui, et qui est la ruine des paysans et du Trésor Impérial.

Cherchons donc ensemble les moyens d'écarter toute cause d'affaiblissement pour ce Gouvernement, et de lui donner la force nécessaire pour maintenir l'autorité du Sultan et sauvegarder en même temps les droits et intérêts légitimes de nos négociants et de nos nationaux établis dans ce pays.

M. le Ministre d'Allemagne dit:—

"Je n'ai qu'à constater mon parfait accord avec les expositions de notre honorable Doyen, et à confirmer, d'une expérience de trente ans que j'ai passé en Orient, ce qu'il a dit sur les tristes conséquences de la protection abusive en Turquie. Là comme ici il y avait une époque où la protection des indigènes par les Consulats étrangers était démesurée. Je me rappelle que lorsque les Puissances avaient résolue de mettre un terme à ces abus, un de mes collègues a été dans le cas de rayer d'un seul trait 500 indigènes de la liste des protégés de son Consulat Général. En effet, les bonnes conséquences de cette mesure ont été visibles; et si la Turquie n'a pas été sauvée, ce n'est point parce que la suppression de la protection illégitime n'aurait pas été utile: elle a été ruinée par son état financier.

"Ici, au Maroc, les abus sont plus grands qu'en Turquie; et nous ne pouvons point espérer que le pays soit ouvert à la civilisation et au commerce du monde aussi longtemps que les abus en question continuent à subsister. Et pourtant la position de ce pays est excellente pour la navigation et le commerce."

Inclosure 3 in No. 40.

Language held by Sir J. Drummond Hay on the Subject of Protection at the Meeting of the Foreign Representatives of the 17th March, 1879.

(Proposes new Regulations to be adopted for Security of Native Agents engaged in the Purchase or Sale of Merchandize in the Interior.)

CONSIDÉRANT l'importance que présente la solution de la question de protection au point de vue des intérêts du commerce en général, je demande la permission de soumettre à mes collègues les propositions suivantes, en vous priant de vouloir bien les lire attentivement et de faire connaître leur appréciation à la prochaine séance:—

1. Les agents indigènes des négociants seront choisis parmi les habitants des villes ou des ports, et non parmi les habitants des villages de l'intérieur.

2. Tout agent indigène de négociant sera muni d'un document en langue Européenne et Arabe délivré par la Légation de la nation à laquelle appartient le négociant qui les emploie.

3. Un Décret Chérifien sera publié ordonnant aux Gouverneurs, Cheiks, ou autres autorités de ne pas molester les personnes munies de ces documents ni de se mêler de leurs affaires.

4. Si un agent est accusé de meurtre ou autre crime et arrêté, aucune peine ni emprisonnement ne lui sera infligé par l'autorité de l'intérieur qui l'aura arrêté.

5. Un inventaire de toute propriété mobilière on immobilière appartenant à l'agent arrêté et de toute propriété en sa possession appartenant au négociant qui l'emploie sera dressé par les notaires publics, en présence du Gouverneur, et une copie en sera envoyée au Gouverneur et au Consul du port où réside le négociant, et le Gouverneur de l'intérieur sera responsable de la sûreté de cette propriété.

6. L'individu arrêté sera envoyé à Tanger ou au port où réside le négociant qui

l'emploie, pour être jugé par un Tribunal compétent, en présence du Consul de la nation qui protège le négociant.

7. S'il est trouvé coupable dans l'opinion du Consul et des autorités Marocaines l'agence lui sera retirée et il sera remis entre les mains des autorités Marocaines aux fins de justice.

8. S'il est reconnu innocent l'affaire sera portée à la connaissance du Sultan par le Représentant ou les Représentants étrangers, et le Gouverneur on Cheik qui aura porté la fausse accusation sera puni, et tous les frais et dépenses occasionnés au défendeur seront payés par le Gouverneur ou Cheik qui l'aura fait arrêter.

Si les autorités Marocaines et le Consul ne tombent pas d'accord sur la sentence contre un agent, un appel sera fait au Ministre des Affaires Étrangères par l'entremise du Représentant étranger.

9. Les agents des négociants ne pourront être arrêtés par les autorités Marocaines pour des offenses ou des cas de litige civil, mais ces cas seront portés, par le Gouverneur de la ville ou du district de l'intérieur, à la connaissance du Gouverneur de la ville où habite le négociant, ou bien à Tanger, et le procès sera jugé devant un officier Consulaire, et un appel sera fait, si la sentence n'est pas approuvée, au Ministre des Affaires Étrangères à Tanger.

10. Les censaux ou agents paieront les taxes, selon le Tarif, par l'entremise du Consul du négociant qui les emploie, et ils seront exempts de toute amende ou imposition arbitraires des Gouverneurs et Cheiks.

11. Ces règlements seront mis en vigueur pendant une année à titre d'essai, et en cas où ils seraient trouvés insuffisants l'on remettra en vigueur l'arrangement de 1863 Français ou même des règlements plus sévères.

Mon opposition aux stipulations de l'arrangement Français de 1863 vient de ce que les négociants, ou tout autre qui s'appelle négociant, choisissent leurs agents parmi les fermiers riches ou autres personnes riches dans l'intérieur en recevant, je crois, très souvent, quelque avantage pour ce service. Ils se déclarent alors associés des agents dans leurs spéculations rurales ou autres, et ils parviennent ainsi à se soustraire à la juridiction du Gouvernement.

De plus, si les négociants étrangers sont autorisés à choisir leurs agents parmi les habitants des villages de l'intérieur, les Gouverneurs de ces provinces peuvent se trouver dans le cas de ne pouvoir exécuter les ordres du Sultan quand Sa Majesté leur prescrit de réunir, selon l'usage, des troupes pour renforcer l'armée Impériale dans ses expéditions, ou d'être impuissants à rétablir l'ordre dans les tribus rebelles, comme cela n'est que trop fréquent au Maroc. Les Gouverneurs des provinces dont les habitants ne font pas partie du "maghsen," c'est-à-dire des milices, s'appellent "Naiba," et ils sont obligés, selon la Constitution du pays, de servir sans rémunération quand le Sultan a besoin de leur concours. Dans ces cas, le Gouverneur, en recevant l'ordre du Sultan, ou même quand il a besoin des troupes pour maintenir la tranquillité dans sa province, s'adresse, selon la coutume, aux principaux fermiers, qui doivent posséder des chevaux et des armes, pour réunir les hommes de leurs familles et les serviteurs armés pour les accompagner. Mais si les négociants peuvent nommer pour agents ces villageois, ils choisiront, comme nous le savons, les plus riches parmi ces derniers; et ceux-ci, sous prétexte qu'ils sont occupés à l'achat de produits du pays pour leurs commettants, refuseront de se rendre a l'appel de leurs Gouverneurs respectifs, soit pour le service du Sultan, ou pour tout autre service, et le Gouvernement devient alors impossible.

On ne peut juger de l'effet d'une telle latitude laissée aux négociants pour le passé parce que je me suis opposé, à quelques rares exceptions près, à la nomination de ces agents dans l'intérieur, prevoyant le chaos qui en résulterait, mais dans le cas où cette faculté serait accordée aux autres négociants étrangers, les sujets des diverses nations que je représente devront avoir le même privilège; or, il est bon de savoir que le nombre des négociants actuellement sous ma juridiction dépasse cinquante.

Un Gouverneur de l'intérieur peut donc se trouver sans administrés parmi les chefs des villages, lesquels sont les seuls qui puissent lui être utiles, n'ayant pas de troupes payées, comme nous le savons.

La même objection ne peut pas être faite pour le choix des habitants des villes qui ne sont pas tenus à ce service.

Comme Représentant de la Grande-Bretagne, j'ai un plus grand intérêt que tout autre Représentant, à cause de la proportion de notre commerce, à assurer la protection aux marchandises et aux intérêts Britanniques placés dans les mains des agents indigènes; mais je suis convaincu que les règlements que je viens de proposer, s'ils sont acceptés par ce Gouvernement, suffiront. Sinon, après une année d'expérience retournons à l'arrangement de 1863, qu'on aurait suspendu ad intérim, ou à d'autres mesures plus sévères.

No. 41.

Sir J. Drummond Hay to the Earl of Rosebery.—(*Received April* 19.)

(No. 19. Commercial.)

Tangier, April 12, 1886.

My Lord,

IN my despatch No. 16, Commercial, of the 7th April, transmitting the draft of the Convention of Commerce, I find I omitted to explain why the duties on exports, especially on grain, since that draft was printed, have been so greatly reduced in the present revised draft.

I communicated to the German and French Plenipotentiaries the representations that had been made to me by merchants interested in the grain and wool trade on this subject, as also the tabular statements I had received regarding the sales of wheat and barley by a British merchant on account of the Sultan, in England, which showed that unless the duties were greatly lowered, little or no profit, according to present prices in England, could have been obtained, and that had a private person, and not the Sultan, been the exporter, he would have lost on the sale of the grain.

The duties now proposed on exports are low, and a slight margin, therefore, is left for modifying the Tariff, when it may be brought hereafter under discussion.

I have, &c.

(Signed) J. H. DRUMMOND HAY.

No. 42.

The Earl of Rosebery to Sir J. Drummond Hay.

(No. 17. Commercial.)

Foreign Office, April 21, 1886.

Sir,

I HAVE to acknowledge the receipt of your despatches as noted in the margin,* relative to commercial negotiations with Morocco. These despatches will be duly considered, and as soon as I can deal with the several matters treated in them, I will take such action as seems to Her Majesty's Government to be necessary, and will address further instructions to you in regard to these matters.

I am, &c.

(Signed) ROSEBERY.

No. 43.

Sir J. Drummond Hay to the Earl of Rosebery.—(*Received April* 28.)

(No. 21. Commercial.)

Tangier, April 17, 1886.

My Lord,

WITH reference to my despatch No. 16, Commercial, of the 17th instant, regarding the negotiation of the Convention of Commerce, I have the honour to transmit translations of a private and confidential letter addressed to me by the Vizier Garneet, urging that I should refrain from taking any steps which may be prejudicial to the interests of the Sultan, and requesting that I should fulfil the promise I had made to transmit, for the consideration of His Majesty, the stipulations of the revised draft of the Convention, and of my reply.

I have, &c.

(Signed) J. H. DRUMMOND HAY.

Inclosure 1 in No. 43.

The Vizier Garneet to Sir J. Drummond Hay.

(Translation.)

(Private and Confidential.)

(After compliments.)

19 *Jumad II*, 1303 (*March* 26, 1886).

OUR Lord the Sultan has ordered us to write to you privately with reference to what you had promised on several occasions, that when the Commissioners were appointed

* Commercial, Nos. 16 and 17, April 7; No. 18, April 9; and No. 19, April 12, 1886: *ante*, Nos. 38, 39, 40, and 41.

to negotiate the revision of the Convention of Commerce, and had entered upon the negotiation, you would refer the draft to His Shereefian Majesty, so that he might be enabled to accept what he may consider to be beneficial, and not to accept that which he may consider prejudicial. O well beloved! His Majesty expects that you will fulfil this promise, and that you will be prepared to abandon that which may not be considered advantageous to His Majesty in various Articles in the proposed Convention regarding exports and prohibition. You are held in high esteem by the Shereefian Government, as is known to every one, and more especially by our Lord the Sultan.

For a great number of years you have been residing in these happy dominions, and have always sought to promote the welfare of its inhabitants, who love you and mention your name with affection. We pray you, O friend, to continue this conduct, and thus to preserve the esteem in which you have been held throughout these dominions. Peace.

(Signed) MUHAMMAD EMFADL GARNEET.

Inclosure 2 in No. 43.

Sir J. Drummond Hay to the Vizier Garneet.

(Translation.)
(Private.)

April 17, 1886.

I HAVE received your private letter of 19 Jumad II (26th March) regarding the negotiation of the Convention of Commerce, in which you say that I had promised when the Moorish Commissioners were appointed that I would refer the draft to His Shereefian Majesty, so that he might be enabled to accept what His Majesty considered to be beneficial, and reject what was considered to be prejudicial, and that His Majesty expects I should continue to seek to promote the welfare of his people, who "love me and mention my name with affection."

Before the receipt of your letter I had, in concert with the German and French Ministers, transmitted, through you, the draft of the Convention that has been prepared, to be submitted for His Majesty's consideration.

I have, therefore, faithfully acted up to the promise you say I had given to refer it to His Majesty for his decision.

With regard to the assurances you give me of His Majesty's esteem, and that you trust I will continue to seek to promote the welfare of His Majesty's subjects, who entertain friendly feelings towards me, I am happy to be enabled to declare to you most conscientiously that I have never ceased to do all that it is in my power to merit the esteem which His Majesty is pleased to profess for me, by seeking to promote His Majesty's welfare and that of his subjects, and that I shall continue to do so.

The stipulations in the revised draft of the Convention were carefully prepared to attain this most desirable object.

There is unfortunately a difference of views between His Majesty's advisers and myself upon this subject, but I depend upon His Majesty's clear judgment, and have every hope that His Majesty, like his revered grandsire, Mulai Abderrahman, will come to the conclusion that the friendly Government of Great Britain would never have recommended any alteration in the present fiscal system of Morocco unless they were convinced, from their experience of the results obtained in Great Britain and other countries, that the measures recommended will ultimately be most beneficial to His Majesty, if, in his wisdom, he adopts them.

If I were to act differently from what I have done, His Majesty and you would then be justified in thinking that I do not deserve that esteem and good-will of His Majesty and the population which it has hitherto been my great good fortune to enjoy, and which I especially desire to retain at a moment when I am about to retire from public life and leave this country.

No. 44.

The Glasgow Chamber of Commerce and Manufactures to Sir J. Pauncefote.—(Received April 30.)

Glasgow, April 29, 1886.

Sir,

I WOULD esteem it a favour your sending me a copy, for the Directors of this Chamber, of the recently enacted Treaty of Commerce of England with Morocco.

I am, &c.
(Signed) WILLIAM H. HILL, *Secretary.*

No. 45.

The Earl of Rosebery to Sir J. Drummond Hay.

(No. 18. Commercial.)

Foreign Office, April 30, 1886.

Sir,

I HAVE received your despatch No. 21, Commercial, of the 17th instant, inclosing translation of a private note which you received from Vizier Garneet on the subject of the negotiations for a Commercial Convention, together with copy of your reply; and I have to inform you that I approve the terms of your reply.

I am, &c.
(Signed) ROSEBERY.

No. 46.

Sir J. Drummond Hay to the Earl of Rosebery.—(Received May 1.)

(No. 22. Commercial.)

Tangier, April 21, 1886.

My Lord,

WITH reference to that passage in my despatch No. 16, Commercial, of the 7th April, in which I mentioned that the Italian Minister, M. Scovasso, had gone to Mogador to meet the Sultan, and that it was his intention to urge His Majesty to accept the stipulations in the draft of the revised Convention of Commerce, I have the honour to inform your Lordship that M. Scovasso returned here last week, and communicated to me, as also to the German and French Ministers, the letter he has received from the Vizier Garneet, in which are embodied the replies given by the Sultan upon the various points which M. Scovasso had pressed upon His Majesty's notice. I inclose a translation.

M. Scovasso informed us that he had an interview with the Sultan, which lasted for three hours, and that, at His Majesty's request, he had attended a meeting of his chief Councillors, and had repeated to them the arguments he had brought forward when conferring with His Majesty upon the subject of the Convention.

He informed us that the Sultan showed a more liberal disposition and intelligence in discussing these matters than his advisers, who appeared to think that, if the restrictions and high duties on exports were removed, all produce in grain and animals will be exported in such large quantities that the poorer classes will be left to starve.

My colleagues and I joined in expressing to M. Scovasso our best acknowledgments for the language he had held to the Sultan, which, though not attended with the success we should have desired, still it was evident that His Majesty is disposed to make certain concessions.

As M. Scovasso had been requested to report to the Sultan the language that the three Representatives might hold to him regarding the limited concessions which it is proposed in the letter of the Vizier should be made, we suggested to M. Scovasso that he should inform the Sultan that though we had expressed our thankful acknowledgments for the communications he had made to us, we awaited a reply to the letter we had addressed the Court forwarding the drafts of the Convention, before giving an opinion on the contents of the Vizier's letter, further than to say to him (M. Scovasso) that we were much pleased to learn the Sultan was animated by a friendly desire to take into consideration the counsels we had offered, and that we had hopes that a satisfactory understanding might finally be arrived at, as it was His Majesty's and our desire that the stipulations and Tariff to be concluded should be for the benefit of trade and the Sultan's revenue.

We all agreed to communicate, without reserve, to M. Scovasso the draft of the Convention and some of the documents that had been delivered to the Commissioners.

I read to him also the draft of the despatch No. 16, Commercial, of the 7th instant I had addressed your Lordship, so that he might better understand the views I entertained.

It would be agreeable to me, should your Lordship see no objection, that some mention should be made to the Italian Government of the satisfaction that my colleagues and I have felt at the proceedings of M. Scovasso, and of the hearty co-operation he continues officiously to give us in the pending negotiation.

I have, &c.
(Signed) J. H. DRUMMOND HAY.

Inclosure in No. 46.

The Vizier Cid Emfadl Garneet to M. Scovasso.

(Translation)

3 *Regeb*, 1303 (*April* 8, 1886).

(After compliments.)

OUR Lord, whom may God protect, has ordered us to reply as follows, O friend, with regard to all you said verbally to His Shereefian Majesty and to ourselves on the subject of the new stipulations of the Convention, and the pressing recommendations made by you to His Shereefian Majesty in favour of the acceptance of the said stipulations, when they shall be presented by the Representatives at present engaged in the negotiation of them. His Majesty says that the subjects of His Majesty have taken great interest in the said Conventions, and their views regarding them have been reported on by many Notables and persons of distinction, and these views may be summed up as follows:—

The stipulations in the aforesaid Conventions are of a nature to cause much injury to the poorer classes of the population, as also to the Imperial Treasury.

Injury will be caused to the poorer class of the population by permitting the exportation of those articles the exportation of which is prohibited, and which are necessary for their subsistence.

With respect to the Imperial Treasury, injury will result from the reduction of duties.

Under these circumstances, His Majesty deems it advisable to adopt the course that will occasion the least injury, as an act of deference to the Representatives who are negotiating the said Conventions; but before pronouncing a definite decision, our Lord desires to make it known previously to his subjects, in order to ascertain whether they will be contented, or whether they are, in their hearts, opposed to it. In such case, whatever changes are effected must be carried out step by step until the people become accustomed, and then the alterations requested by the Representatives may be granted, but His Majesty will have to expose to his subjects the reasons, as also the language, held by the Moorish Commissioners in reply to the arguments of the Representatives regarding the advantages to be derived from the stipulations (in the Conventions), so that His Majesty's subjects may know that he has paid attention to the views of his Commissioners, and has not rejected them. His Majesty will, however, certainly make a careful study, and take good note of it, to obviate the criticisms which the people may address to the Shereefian Government, in the same way as is done by the newspapers in other countries, finding fault with the Government.

The lesser evil, to which, as has been already said, His Shereefian Majesty considers he should give occasion, after having caused what has been above referred to, to be made known to the population, is the following:—

1. To maintain in vigour, as has been always done, the prohibition of the exportation of certain articles. These articles of which the exportation is forbidden are cows, ewes, she-goats, and she-asses.

With respect to horses, neither males nor females may be exported, and the same as regards camels, male and female, and mules, male and female; neither will the exportation of the following articles be permitted: salt, butter, honey, flour, mergatta, the wood of the "bellut" (oak), briarwood, and larizwood. Minerals shall remain in the same condition as heretofore. Straw shall not be exported, and the same shall be the case as regards bark; also as regards implements of war, arms, and soap.

2. To permit the exportation, by way of experiment, of certain articles of which the exportation has been hitherto forbidden. These articles are wheat and barley, as also the males of bovine cattle, sheep, goats, and asses. The exportation of these articles shall be permitted for three years by way of experiment at the time of the harvest, so that the exportation of wheat and barley by way of experiment shall be permitted at the time in which the grain is threshed out. At the expiration of the three months wheat and barley shall no longer be exported during the rest of the year.

With regard to the "katani" (farinaceous products), they shall continue as hitherto; Government may permit or prohibit their exportation whenever it may seem fit.

With respect to the articles the exportation of which will be permitted for three years, by way of experiment, as soon as the term shall have expired, no application tending to obtain a prolongation of the term for exportation of the said articles will be entertained, even if the application should be for its prolongation for one day. Nor will the pretext be allowed that the vessels (chartered for loading the said articles) have been delayed in their arrival. Should it happen that the harvest of these articles has been deficient in one of the three years, then these same shall not be allowed to be exported, not even during the three months.

3. To permit without any restriction the exportation of various articles whose exportation has been hitherto forbidden. These articles are "leef" (palmetto fibre), "guimar" (the heart of the palmetto), "kaob" (canes), "shitatib" (palmetto leaves), "bailin" (osiers) "basl" (onions) "dibagh" (materials used for tanning), salt, meat, fresh and salted.

With regard to duties on exports and imports, it is to be observed that, the Government having improved the condition of the Kabyles (tribes) by the new system (for the payment of taxes), the Imperial Treasury does not derive benefit from the Kabyles, except the tithes and the "tekat" (legal impost on animals). But of this you, O friend, must be already aware. To this must be added that many of His Majesty's subjects pay nothing whatever to the Imperial Treasury. These subjects are the "semsars" and the greater number of the partners of foreign subjects and protected subjects. So that the Government has nothing else at its disposal to meet the requirements of its army and other expenses for the public service, but the Customs receipts on imports and exports.

A matter of such great importance being concerned, the Government is carefully studying the proposals presented by the foreign Representatives.

The concession of the exportation of the above-mentioned articles, by way of experiment, is accorded on condition that not only the foreign Representatives who are engaged in negotiating the Conventions, but also those Representatives who have taken no part in these negotiations, put an end to the very grave evil which causes so much injury to the Shereefian Government, that is, that they suppress the "semsars" and the commercial agents (under protection);

2. That they present yearly lists of persons under protection and naturalized; these lists must contain all the indications required by the Convention of Madrid;

3. That they cause to be opened (at the custom-houses) the boxes arriving from abroad. If the contents of the boxes are not articles of contraband, the consignees can receive them, but if they should prove to be articles of contraband, the measures prescribed by the Treaties in vigour shall be carried into effect.

The demand for the abolition of "semsars" and commercial agents, for the presentation of the aforesaid lists, and the examination of boxes (for all persons without distinction) is made by His Shereefian Majesty in order to obtain just compensation for the concessions demanded of His Shereefian Majesty with the object of not giving cause for comments on the part of people of this Empire. Such is the reply of His Shereefian Majesty, and we have reproduced it word for word.

His Majesty requests you, O friend, to have the goodness to use your endeavours, so that this question (of the Conventions) may be concluded in the manner above shadowed out, and be terminated thus for the general good.

(In the meantime) we offer you in advance our thanks. May you be kept in good health.

(Signed) MOHAMMED EL M'FUDDAL BEN MOHAMMED GARNEET.

No. 47.

Sir Villiers Lister to the Glasgow Chamber of Commerce.

Foreign Office, May 3, 1886.

Sir,

IN reply to your letter of the 29th ultimo, I am directed by the Earl of Rosebery to state to you, for the information of the Glasgow Chamber of Commerce, that no Treaty of Commerce has recently been concluded between this country and Morocco. The negotiations are, however, still in progress.

I am, &c.

(Signed) T. V. LISTER.

No. 48.

The Earl of Rosebery to Sir J. Drummond Hay.

(No. 19. Commercial.)

Foreign Office, May 8, 1886.

Sir,

IN reply to your despatch No. 22, Commercial, of the 21st ultimo, respecting the negotiations for a revision of the Commercial Treaty with Morocco, and the action of the

Italian Minister at Tangier, I have to inform you that I approve your action as reported in your above-mentioned despatch, and that I have requested Her Majesty's Ambassador at Rome to make a communication to the Italian Government in the sense you suggest.

I am, &c.
(Signed) ROSEBERY.

No. 49.

The Earl of Rosebery to Sir J. S. Lumley.

(No. 26. Commercial.)
Sir, *Foreign Office, May* 8, 1886.

I INCLOSE, for your Excellency's information, a copy of a despatch from Her Majesty's Minister at Tangier, reporting the action of his Italian colleague in urging on the Sultan of Morocco the desirability of accepting the proposed revision of the Commercial Convention.* I have to request your Excellency to express to the Italian Government the satisfaction which M. Scovasso's action has given both to Her Majesty's Government and to Sir J. D. Hay and his colleagues.

I am, &c.
(Signed) ROSEBERY.

No. 50.

Sir J. Drummond Hay to the Earl of Rosebery.—(Received May 19.)

(No. 23. Commercial.)
My Lord, *Tangier, May* 11, 1886.

THE Sultan has sent orders to the Governors of the western ports of the provinces in the interior, and also of Soos, to issue Proclamations to the population, making known to them that several foreign Governments have requested His Majesty to allow the exportation of wheat and animals, and that he desires to learn what may be the wishes of his subjects. It is reported that the people of Soos, who had suffered from famine for three years in consequence of drought, have expressed themselves as opposed to the exportation of grain. The population of the port of Laraiche, who are not engaged in agriculture, are also said to be opposed to the removal of present restrictions on exports, fearing that the price of food might rise.

I have, &c.
(Signed) J. H. DRUMMOND HAY.

No. 51.

Sir J. S. Lumley to the Earl of Rosebery.—(Received May 28.)

(No. 59. Commercial.)
My Lord, *Rome, May* 25, 1886.

IN compliance with the instructions contained in your Lordship's despatch No. 26, Commercial, of the 8th instant, I addressed a note to Count Robilant, conveying the satisfaction both of Hor Majesty's Government, of Her Majesty's Minister at Tangier, and of his foreign colleagues, at the action of the Italian Minister with regard to the negotiations at present being carried on between certain of the Powers and His Majesty the Sultan of Morocco for a revised Convention of Commerce.

In acknowledging the receipt of my note, his Excellency expressed his satisfaction that the proceedings of Signor Scovasso had met with the approval of Her Majesty's Government.

I have, &c.
(Signed) J. SAVILE LUMLEY.

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* No. 46.

No. 52.

The Earl of Rosebery to Sir J. Drummond Hay.

(No. 21. Commercial.)
Sir, *Foreign Office, June* 21, 1886.

WITH reference to my despatch No. 17, Commercial, of the 21st April, I inclose, for your use, a copy in print of the correspondence respecting the negotiations for a Commercial Treaty with Morocco and a copy of a despatch on this subject and on that of the protection of natives, which I have addressed to Her Majesty's Ambassadors at Paris and Berlin respectively.* I also inclose six separate copies of the draft Treaty inclosed in your despatch No. 16, Commercial, of the 7th April.†

Full instructions cannot be addressed to you until after the receipt of the Sultan's reply on the point submitted to him. In the meantime, I have to observe that it will be necessary to add to the Treaty an Article providing for the facultative adhesion of Her Majesty's self-governing Colonies, similar to Article XIX of the Treaty with Italy, copy of which is inclosed.‡ The duties on fine cloth, silks, &c., inserted in Article VI of the draft Treaty might, if necessary, be raised, as the low rates proposed leave a margin for some augmentation, if on general grounds it is found to be expedient in the course of negotiation to make use of this means for revenue purposes, and in order to obtain the abolition or reduction of duties on other goods. The 3rd paragraph of Article VII is not clear, as there will presumably be no duty specified for articles the exportation of which is prohibited.

I am, &c.
(Signed) ROSEBERY.

No. 53.

The Earl of Rosebery to Viscount Lyons.§

(No. 81. Commercial.)
My Lord, *Foreign Office, June* 21, 1886.

WITH reference to my despatch No. 9, Commercial, of the 9th February, I inclose, for your Excellency's information, a copy in print of the recent correspondence respecting the commercial negotiations in Morocco which are being conducted by Sir J. D. Hay in concert with the German Plenipotentiaries and the French Minister at Tangier.‖

A draft of a Treaty has now been prepared and laid before the Sultan. The draft forms Inclosure No. 11 in Sir J. D. Hay's despatch No. 16, Commercial, of the 7th April last. In that despatch, and in his despatch No. 18, Commercial, of the 9th April, Sir J. D. Hay states that the spirit of the instructions given to the Moorish Commissioners was opposed to all measures that would be beneficial to trade, and that the Sultan fears that increased trade and increased intercourse with foreign nations will but lead to ever-increasing numbers of Moorish subjects being placed under foreign protection by the system introduced in 1863 in virtue of the Agreement between France and Morocco.

The negotiations are now interrupted pending the answer of the Sultan on the various points awaiting his decision, and Her Majesty's Government would therefore be glad to learn the opinion of the French Government on the negotiations as far as they have gone, and on the question of the protection of natives.

So far as Her Majesty's Government are concerned, they feel that Sir J. D. Hay understands so completely the circumstances of the case that they wish to leave the draft Treaty, as a whole, as it now stands, subject to a few observations on the points of detail specified in my despatch of this date, of which a copy is also inclosed.¶

I am, &c.
(Signed) ROSEBERY.

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* Printed Correspondence; Treaty with Italy; and No. 53.
† Draft Treaty.
‡ No. .
§ Also to Sir E. Malet, No. 49, Commercial.
‖ Printed Correspondence.
¶ No. 52.

No. 54.

Sir J. Drummond Hay to the Earl of Rosebery.—(Received June 22.)

(No. 24. Commercial.)

Tangier, June 10, 1886.

My Lord,

I HAVE the honour to inform your Lordship that a meeting took place on the 29th ultimo of the German and French Ministers and myself with the Moorish Commissioners, at the request of the latter, who informed us that they had received instructions from the Sultan to make known to us that, out of consideration for the representations that had been made regarding the removal of restrictions on exports, His Majesty had decided on agreeing to allow during a period of three successive years the exportation, during three months of each year, of wheat, barley, oxen, sheep, goats, and donkeys, and that His Majesty had on this account made an appeal to his subjects for an expression of their wishes and opinions.

The Commissioners were requested to communicate to us (the Representatives) a copy of the Sultan's Edict which had been promulgated by the Governors or Kadis throughout the country, but they replied that they were unable to provide a copy. I have, however, obtained confidentially through another channel a copy of this extraordinary document, of which I annex a translation.

I have communicated copies also to my colleagues of Germany and France.

The publication of this Edict has produced in many of the towns, as also in the mountainous districts, an impression that it is the intention of the three Great Powers to resort to hostilities if their demands regarding the exportation of grain and animals are not granted. The "Jehad," or holy war, is said to have been proclaimed in some places, and several inhabitants of the mountainous districts in the Tangier province have presented themselves at this Legation to inquire whether war will be declared.

The Commissioners admitted at the meeting that the language held by the Representatives had been always of a friendly and temperate character, and they assured us also that there is no expression in the Sultan's Edict which would justify the interpretation which has been given to it, as they added, by ignorant people. I am inclined, therefore, to think that the Governors, Kadis, or Sheikhs, who are opposed from fanatical feelings to the development of commercial relations with Christian countries, have read or communicated to the population the Edict with such comments as may have led to the agitation that has followed.

It is reported that at Fez an outbreak of fanaticism had taken place, which was with difficulty suppressed by the authorities, and that the Jewish population were in the greatest terror, apprehending a general massacre.

I have the honour to transmit the copy of a collective letter which has been addressed to the Vizier Garneet upon this subject.

A *plébiscite* on the part of a despot like the Sultan is indeed very strange, but it has no doubt been considered by His Majesty, in view of the fanatical feelings of the population in the towns of the interior, a judicious measure. The Edict contains quotations from the Koran, and a declaration that the Sultan is only as one of his own people, and desires, therefore, to avoid doing anything which may not be thought conducive to the general welfare.

I may here mention that I was given to understand, when the late Sultan, Cid Mohammed, came to the throne, that he was called upon by the Oolema of Fez, before they accepted his candidature,* to make a declaration that he would not allow the exportation of wheat or barley to Christian countries.

In the towns, and also in the mountainous districts where the population have little or no interest in the cultivation of grain and breeding of cattle, and knew that the price of meat and food has greatly risen of latter years on account of the increased communications with Europe and exportation of produce, they are naturally opposed to the removal of existing restrictions.

The inhabitants of the southern provinces, where grain could be cultivated and exported on a very large scale to Europe, if the Sultan adopted decided measures to curb the tyranny and extortion practised by his Governors and Sheikhs, which check all industry, are, on the other hand, interested in, and favourably disposed towards, the removal of the present prohibitions on the exportation of wheat, barley, &c.

Though the mode of procedure adopted by the Sultan is strange, and the wording of the Edict leaves the impression that it is with reluctance His Majesty will accede to

* The people are supposed, on the death of a Sultan, to elect his successor from the members of the reigning Shefeefian dynasty.—J. H. D. H.

the wishes of the three Powers, yet I am inclined to think that His Majesty is favourably disposed to adopt liberal measures which may tend to develop commercial relations with Europe and the resources of his Empire, but that he wishes to give, in the first place, a trial for a limited period, in the expectation that the result may satisfy his subjects that the measures will be beneficial to the general interests of the country.

It will remain hereafter for the consideration of the three Powers when the reply of the Vizier Garneet is received to the collective note we addressed him on the 5th April, transmitting the revised draft of the Convention and observations, to decide what further step can prudently be taken to conduct the negotiation to a satisfactory conclusion. It may, perhaps, be found advisable to agree to come to some arrangement which would enable the Sultan to introduce gradually the proposed reforms for the development of trade.

I have, &c.
(Signed) J. H. DRUMMOND HAY.

Inclosure 1 in No. 54.

Edict addressed by the Sultan of Moroeco to his Subjects.

Louange à Dieu Unique.

(Traduction.)

QUELQUES Représentants des Puissances étrangères, résidant à Tanger, nous demandent d'une manière amicale, déjà depuis plusieurs années, une nouvelle Convention de Commerce, qui permette l'exportation des articles prohibés, tels que les céréales en général, les bêtes de somme, les animaux, et d'autres articles. Ils demandent en outre la réduction des droits de sortie, disant que l'exportation des dits articles serait une source de richesse pour le Trésor Impérial et pour le peuple.

Depuis cinq ans nous résistons à leurs sollicitations et nous temporisons, nous conformant aux paroles de notre Seigneur le Prophète (que les prières de Dieu soient sur lui !) consignées dans les manuscripts :—

"L'absence de précipitation est le meilleur moyen de maintenir les affaires dans le *status quo ;* il faut marcher avec précaution."

Car nous voilà arrivés au siècle désigné par le Prophète, en ces mots :—

"Il arrivera un temps où le vivant marchera sur le mort et dira : 'Rien ne te remplace.'"

A Dieu ne plaise que nous causions du préjudice aux Musulmans, et l'enchérissement de ce qui est nécessaire à leur existence. Dieu est témoin de nos pensées. Le Très-Haut vous a placé sous notre sauvegarde, et le Prophète dit :—

"Tout peuple a un pasteur et chaque pasteur est responsable de ses troupeaux."

Puisque à présent les Représentants étrangers persistent plus que jamais dans leurs demandes, nous nous sommes empressés avant tout de demander l'avis de nos Conseillers les plus éclairés et les mieux versés dans la religion, pour connaître leur conciencieuse opinion à ce sujet, et tous ces Conseillers ont exprimé un avis contraire, et ont déclaré que l'exportation des dits articles n'amènerait aucun profit, mais qu'au contraire, il en résulterait des préjudices, puisque du fait de l'exportation il résulterait l'enchérissement des dits produits, ce qui serait funeste au peuple et finirait par les plonger dans la plus grande misère, sans mentionner d'autres inconvénients qu'il ne faut pas préciser ici.

Quant à la réduction des droits de sortie, elle serait préjudiciable aux revenus de l'État, dont on a besoin pour faire face aux frais du Gouvernement, au maintien de l'armée, et pour d'autres choses d'un intérêt publique.

Quant aux avantages financiers qui, au dire des Représentants étrangers, résulteraient de l'exportation des articles ci-dessus mentionnés, il serait trop long ici de combattre leurs idées, car pour faire cela des cahiers entiers ne seraient pas suffisants.

Voyant où les choses en sont arrivées maintenant, nous nous sommes empressés de vous adresser cet écrit. Nous avons désiré la paix, nous confirmant aux paroles de Dieu : "S'ils (les ennemis) se penchent vers la paix, acceptez-la." Par conséquent, nous avons choisi le mal le moins grave. Notre manière de voir est—si toutefois vous jugerez qu'il n'en résulterait pas les préjudices ci-dessus mentionnés et qu'au contraire il est profitable d'accéder à ce qui suit—de permettre l'exportation des quelques articles motivés à titre d'essai, comme le blé, l'orge, les mâles des bœufs, des moutons, des boucs et des ânes, pour trois années seulement, pour en voir le résultat, tout en maintenant les droits d'exportation tels qu'ils sont à présent.

L'exportation des dits articles sera permise à l'époque de leur récolte en ce qui regarde les grains et à l'époque de en ce qui regarde les bêtes de somme et autres animaux, toujours à titre d'essai, pendant un interval de trois mois dans chaque année. Si dans une de ces trois années il n'y avait pas une abondance des dits articles, ceux-ci ne pourront pas être exportés à titre d'essai et seront prohibés. Nous ne nous engagerons pas d'une manière formelle à accorder les dites concessions, mais nous y adhérons seulement à titre d'essai dans le but d'en voir le résultat.

Sachez que même si vous expiriez dans une heure, vous devez dire clairement ce que vous en pensez. Si vous approuvez notre projet, bien; nous le mettrons en exécution; autrement, nous laisserons les choses dans l'état actuel.

Parlez franchement, car nous nous considérons comme un des vôtres. Nous vous informons de tout ceci en conformité des paroles du Très-Haut: "Consultez votre peuple dans les affaires."

Ce que vous trouverez auprès de Dieu est préférable aux choses mondaines et au gain du commerce.

Dieu seul donne les richesses.

Le 6 Regeb, 1303 (10 *Avril*, 1886).

Inclosure 2 in No. 54.

Collective Note addressed by the Representatives of Great Britain, France, and Germany to the Vizier Garnit, Minister for Foreign Affairs, concerning the Sultan's proposed measures on Exportation.

(Traduction.) *Le 4 Juin*, 1886.

(Après les compliments d'usage.)

DANS une séance tenue sur leur demande le 29 Mai dernier les Commissaires de Sa Majesté nous ont informés verbalement que leur Souverain les avait invité à nous faire part de certaines mesures, consistant à soumettre l'exportation du blé, de l'orge, et de certains animaux à une épreuve de trois années durant une période de trois mois chaque année. Nous apprécions les propositions amicales de Sa Majesté, mais avant de les étudier, il nous convient d'attendre votre réponse à la lettre que nous avons eu l'honneur de vous adresser le 5 Avril dernier (30 Jumad Téni) en y joignant les projets identiques de Convention et le Mémorandum y relatif, tous documents destinés à être mis sous les yeux de Sa Majesté.

Nous avons été péniblement impressionnés par les manifestations hostiles qui ont été provoquées par la lecture faite publiquement de la lettre du Sultan relativement à la révision du Traité de Commerce, et nous vous serons reconnaissants de faire connaître à Sa Majesté votre sentiment à ce sujet. Nous espérons que Sa Majesté désavouera formellement la conduite de ses Gouverneurs, dont le devoir était en cette circonstance d'éclairer la population des villes et des campagnes sur le caractère tout amical des propositions émanant des trois Représentants d'Allemagne, de France, et de la Grande-Bretagne au lieu d'assister impassibles aux scènes d'hostilité dont elles ont été l'objet.

Tous les sujets étrangers ont manifesté une émotion bien naturelle en apprenant ces fâcheuses nouvelles. Quant à nous, comptables vis-à-vis de nos Gouvernements respectifs de la sécurité de nos nationaux, et protégés placés sous la sauvegarde du drapeau des Légations, nous informons sans retard nos Gouvernements des faits qui viennent de se produire et nous vous prions de faire savoir à Sa Majesté qu'il importerait, étant donné l'état des esprits, de recourir à toutes les mesures susceptibles de garantir la sécurité des sujets étrangers.

Les Commissaires nous ayant informés de leur départ pour la Cour Chérifienne, où ils sont appelés par Sa Majesté, nous nous adressons à vous afin de connaître la voie qui sera adoptée ultérieurement pour la poursuite des négociations relatives à la Convention nouvelle, et à la révision du Tarif Douanier. Ces négociations se poursuivent depuis longtemps déjà et nous éprouvons le plus vif désir de les voir prendre fin prochainement et dans des conditions satisfaisantes pour le commerce.

Amitié et paix.

No. 55.

Sir E. Malet to the Earl of Rosebery.—(*Received June* 28.)

(No. 64. Commercial.)

Berlin, June 26, 1886.

My Lord,

I HAVE the honour to forward herewith a copy of a note which I have addressed to Count Berchem, asking for the opinion of the Imperial Government on the present state of the commercial negotiations which Her Majesty's Minister at Tangier, in concert with the German Plenipotentiaries and the French Minister, is conducting with the Government of the Sultan of Morocco.

I have, &c.

(Signed) EDWARD B. MALET.

Inclosure in No. 55.

Sir E. Malet to Count Berchem.

Berlin, June 26, 1886.

M. le Comte,

HER Majesty's Government have received from Her Majesty's Minister at Tangier a Report upon the present stage of the commercial negotiations which, in concert with the German Plenipotentiaries and the French Minister, he is conducting with the Government of the Sultan of Morocco. They have also had under their consideration the draft of a Treaty which has been prepared and laid before the Sultan.

Sir J. Drummond Hay reports that the spirit of the instructions given to the Moorish Commissioners seem opposed to all measures likely to benefit trade, and that the Sultan seems apprehensive lest increased trade and intercourse with foreign nations may only lead to ever-increasing numbers of Moorish subjects being placed under foreign protection by the system introduced in 1863 in virtue of the Agreement between France and Morocco.

The commercial negotiations would appear from Sir J. Drummond Hay's Report to be interrupted pending the answer of the Sultan on various points awaiting his decision, and Her Majesty's Government would therefore be glad to learn the opinion of the Imperial German Government on the negotiations as far as they have gone, and on the question of the protection of natives to which reference has been made.

So far as Her Majesty's Government are concerned, they feel that Sir J. Drummond Hay so thoroughly understands the circumstances of the case that they are disposed to leave the draft Treaty as a whole as it now stands, reserving to themselves the power to make a few alterations on certain points of detail.

I should be much obliged, M. le Comte, if you could kindly favour me with the views of the Imperial Government on the points indicated above, and avail, &c.

(Signed) EDWARD B. MALET.

No. 56.

Viscount Lyons to the Earl of Rosebery.—(*Received July* 5.)

(No. 178. Commercial.)

Paris, July 3, 1886.

My Lord,

IN execution of the instruction conveyed to me by your Lordship's despatch No. 81, Commercial, of the 21st ultimo, I spoke to M. de Freycinet the day before yesterday on the subject of the commercial negotiations in Morocco, which are being conducted by Sir John Drummond Hay in concert with Representatives of France and Germany.

Finding that M. de Freycinet was not prepared to discuss the subject at the moment, I promised to let him have a note upon it *pro-memorid*, and I have accordingly sent to him to-day the note of which I do myself the honour to transmit herewith a copy to your Lordship.

I have, &c.

(Signed) LYONS.

Inclosure in No. 56.

Pro-memorid.

Commercial Negotiations in Morocco between the Delegates of the Sultan and the Representatives of Great Britain, France, and Germany.

IT appears that the spirit of the instructions given to the Moorish Delegates is opposed to measures for the promotion of trade, and that the Sultan fears that increased trade and increased intercourse with foreign nations will but tend to ever-increasing numbers of Moorish subjects being placed under foreign protection by the system introduced in 1863 in virtue of the Agreement between France and Morocco.

A draft of a Treaty has been prepared and laid before the Sultan, and the negotiations are now interrupted pending the answer of the Sultan on the various points awaiting his decision.

Her Majesty's Government are anxious to learn the opinion of the Government of the Republic on the negotiations so far as they have gone, and on the question of the foreign protection of native Moorish subjects.

So far as Her Majesty's Government are concerned, they feel that the British Representative, Sir J. H. Drummond Hay, understands so completely the circumstances of the case that they would wish to leave the draft Treaty as a whole as it now stands, subject to a few observations on some points of detail.

Paris, July 3, 1886.

No. 57.

Mr. Scott to the Earl of Rosebery.—(*Received August* 9.)

(No. 78. Commercial.)

My Lord, *Berlin, August* 3, 1886.

WITH reference to your Lordship's despatch No. 49 of the 21st June, and to Sir E. Malet's No. 64, Commercial, of the 26th June, I have the honour to report that Count Berchem expressed to me to-day his regret that he was not yet in a position to state to me the views of the German Government in regard to the present state of the negotiations which have been taking place at Tangier, and the difficulties raised by the Morocco Commissioners.

M. Testa, the German Minister at Tangier, who had been instructed to report on this subject, has been unaccountably silent since his arrival at his new post; and Count Berchem feared that he may have been too ill to attend to much business. He said, however, that he had just sent him a telegram begging him to report on the matter as soon as possible. When he received his reply, Count Berchem promised to lose no time in ascertaining for me the views of the Imperial Chancellor.

I have, &c.

(Signed) CHARLES S. SCOTT.

No. 58.

Pro-memoriá communicated by the German Ambassador, September 2.

(Translation.)

IN a note of the 26th June of the present year the Royal Ambassador of Great Britain at Berlin, upon instructions from his Government, requested a communication respecting the attitude of the Imperial Government in the question of the negotiations for a Treaty of Commerce at present pending in Morocco.

The Proctocols respecting the negotiations which have taken place in Tangier between the Delegates of Morocco on one side, and the Representatives of Germany, England, and France on the other side, which have been only recently received in Berlin, show that the resistance of the Morocco Commissioners is chiefly directed against those provisions of the draft presented in concert by the foreign Representatives which exclude the right of the Sultan to hinder the export of bread-stuffs.

This opposition, which was renewed at nearly every sitting, and occasionally gave rise to animated discussions, was foreseen on the side of the Imperial Government. Already at

the date when England took up the Treaty negotiations with Morocco (1881) the reports of the Imperial Representative at Tangier intimated that, with the Sultan's strong personal disinclination to submit to Treaty restrictions in the above relation, the negotiations did not promise success in this direction.

On this account, therefore, in the draft drawn up in Berlin, which the Imperial Government wished to see made the basis of the negotiations in Tangier, and which was there at the proper time communicated to the British and French Representatives, the right to prohibit export of wheat or other productions of the soil is allowed to the Sultan, and it is sought merely to avert, as far as possible, the injurious consequences of a sudden prohibition of such export in the interests of the German traders there (Article VII). This Article was omitted in the draft determined on by the Representatives of the three Powers in Tangier, and thereby, jointly with Article II of this last draft, the right of the Sultan to issue export prohibitions has been withdrawn. In view of the opposition which this limitation finds on the Morocco side, the Imperial Government, notwithstanding it fully recognizes the importance of a Treaty provision insuring freedom of export, would not desire to make the fate of the negotiations depend upon this question, but rather to make that advance towards the Sultan to which its original draft Treaty bears witness. The Imperial Government sees all the more reason for assuming this attitude that, according to the last reports of the Minister-Resident Testa, the Sultan now entertains, of his own accord, the intention to allow the export of cereals for three years as an experiment, and to leave the renewal of the permission dependent upon the result of this experiment. The Imperial Government would look upon it, therefore, as a gain and an essential advance in the commercial relations in Morocco if the negotiations were concluded even without the clause securing entire freedom of export which it has been endeavoured on the British side to obtain.

With respect to the question touched on in Sir Edward Malet's note, of the extension of protection to subjects of Morocco, the Imperial Government does not indeed ignore the disadvantages to which the application of the Madrid Convention of 1880 has led in several ways. It hesitates, however, to couple the fresh regulation of this question, which has been complicated in consequence of its historical development, with the Commercial Treaty, the conclusion of which is already, as it is, opposed by difficulties.

The Imperial Government would desire to receive a communication respecting the attitude which the Royal Government of Great Britain adopts to the proposal of the Imperial Government to leave the Sultan of Morocco the right to prohibit the export of cereals, subject to certain precautions against an exercise of such right to the prejudice of foreign commercial interests, and as to whether Her Majesty's Government would be prepared, in case Muley Hassan demurs to the draft Treaty at present under his consideration, to meet him in the way indicated.

London, August 29, 1886.

No. 59.

The Earl of Iddesleigh to Count Hatzfeldt.

M. l'Ambassadeur, *Foreign Office, September* 6, 1886.

IN reply to the inquiry made in the *pro-memorid*, which your Excellency was good enough to communicate on the 29th ultimo, I have the honour to state that if the draft of the proposed Commercial Treaty with Morocco, which is now in the course of negotiation between the British, German, and French Representatives and the Commissioners of the Sultan, is in other respects satisfactory, Her Majesty's Government would not refuse to accept a guarded Article reserving to the Sultan, in certain contingencies, the right to prohibit the export of cereals.

I have, &c.

(Signed) IDDESLEIGH.

No. 60.

Mr. Kirby Green to the Earl of Iddesleigh.—(*Received October* 4.)

(Commercial. Confidential.)

My Lord, *St. James' Club, Piccadilly, October* 2, 1886.

AFTER careful perusal and consideration of the two volumes of Confidential Print relative to commercial negotiations with Morocco, forwarded to me under your Lordship's

direction by Sir James Fergusson, I have the honour to state to your Lordship that, as far as I can judge at present, there are no special points of the proposed Convention on which I would wish to have further instructions than those already existing.

But it appears to me that the negotiations with the Moorish Government having come to a standstill through the evident desire of that Government to avoid, as long as possible, entering upon a path of commercial progress, I shall not be able to do anything else than go over again, with the same barren result, the ground already traversed by Sir John Drummond Hay and his French and German colleagues, unless your Lordship should deem it expedient to instruct me to notify to the Moorish Government that a time may come when its reluctance to follow the counsels of Her Majesty's Government will have to be seriously considered.

Perhaps, however, your Lordship will permit me to request that the above remarks should be taken as subject to be modified or supplemented after my arrival in Morocco, when I shall have had opportunities of freely discussing the question of the Commercial Convention with Baron Testa and M. Féraud.

I have, &c.
(Signed) W. KIRBY GREEN.

No. 61.

The Earl of Iddesleigh to Mr. Kirby Green.

Sir, *Foreign Office, October* 6, 1886.

I HAVE to acknowledge the receipt of your despatch of the 2nd instant, relative to commercial negotiations with Morocco; and I have to request that after your arrival at Tangier you will report further on the subject, with such suggestions as you may then have to offer.

I am, &c.
(Signed) IDDESLEIGH.

No. 62.

Mr. White to the Earl of Iddesleigh.—(*Received October* 18.)

(No. 66. Confidential.)
My Lord, *Tangier, October* 11, 1886.

I HAVE the honour to report to your Lordship that the Italian Minister, M. Scovasso, left Tangier this day by the British steam-ship "Mogador" for Mazagan, accompanied by the Italian Consul, M. Maissa.

M. Scovasso, before his departure, informed me that his visit to Mazagan was necessitated by certain Consular business, and that he intended to take that opportunity to pay a short visit to the Court.

He stated to me confidentially that his object was to urge the Sultan to accede to the wishes of the Governments of Great Britain, France, and Germany, regarding the Commercial Treaty, but at the same time to make it a condition that the system of protection in Morocco be greatly modified.

I have, &c.
(Signed) HERBERT E. WHITE.

No. 63.

*The Earl of Iddesleigh to Sir E. Malet.**

(No. 74. Commercial.)
Sir, *Foreign Office, October* 21, 1886.

I INCLOSE herewith copy of a despatch, as noted in the margin,† respecting commercial negotiations with Morocco.

I am, &c.
(Signed) IDDESLEIGH.

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* Also to Mr. Egerton (No. 174).

† No. 62.

No. 64.

Mr. Kirby Green to the Earl of Iddesleigh.—(*Received November* 27.)

(No. 30. Commercial.)
My Lord, *Tangier, November* 18, 1886.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch, marked Commercial, of the 6th ultimo, directing me, after my arrival at Tangier, to report further on the subject of the pending commercial negotiations with Morocco.

Immediately after the assumption of my duties here, a month ago, Mr. White informed me that he had, whilst he was in charge of this Legation, received, equally with the Representatives of France and Germany, a draft in Arabic of a Commercial Convention which the Moorish Government stated the Sultan was prepared to conclude at once with Great Britain, France, and Germany, if it met with the approval of the Plenipotentiaries of those countries.

Mr. White, together with Baron Testa and M. Féraud, having carefully examined this draft, found that its stipulations were couched in a much less liberal spirit than even the Commercial Convention between England and Morocco of 1856. Mr. White therefore very rightly judged that it was unworthy of having its receipt acknowledged, and that it was not proper that Her Majesty's Government should be troubled with its consideration.

From the reports in the local press I have gathered that within the last few weeks the Moorish Commissioners charged with the negotiation of the Commercial Convention have returned here; but I have no other knowledge of their presence in Tangier, so they may be labouring under the vain expectation that my German and French colleagues and I are about to announce to them our acceptance of the Shereefian idea of the proper way of fostering trade and navigation.

When, fifteen days ago, M. Féraud, the French Minister, was on the point of starting for the Moorish Court, at present established in the city of Morocco, he informed me that, as hitherto all the three foreign Representatives who had been endeavouring to negotiate with the Moorish Government the Commercial Convention, had worked with perfect unanimity and in the greatest accord, he trusted I should in this matter continue in the footsteps of my predecessor, and thus see my way to accepting a suggestion which had been put forward by Baron Testa, our German colleague.

Hereupon M. Féraud placed in my hands a paper, copy of which I have the honour to furnish herewith, embodying Baron Testa's proposal of what M. Féraud should endeavour, in his approaching intercourse with the Sultan, to induce his Shereefian Majesty to accept as a concession to the demands of the commercial world.

M. Féraud and Baron Testa had come to the conclusion that all available arguments had already been exhausted, without result, in seeking to bring to a successful conclusion the negotiations for a Commercial Convention.

The Sultan had, indeed, met the first show of pressure by an appeal to his people, who had let it be seen that it was they, and not His Majesty, who objected to their country becoming the granary of its neighbours, and now, with this argument to back him, the Sultan felt strong in adopting a *non possumus* policy.

Under these circumstances, Baron Testa and M. Féraud, accepting the plea that the Sultan had not altogether a free hand in the matter, had come to the conclusion that the Moorish Government and people might be gradually got to acquire wisdom by experience, and hence Baron Testa's proposal that M. Féraud should explain to the Sultan that if he would at once act up to a suggestion already put forward by His Majesty, and permit by Decree the exportation of cereals (wheat and barley—all other grains are now exported) and male cattle ("bêtes mâles") for a period of three years, we would suspend our action for that period to obtain the conclusion of the wished-for Commercial Convention.

This concession my colleagues were of opinion should be made, as they were sure the working of the proposed Decree would prove so satisfactory to the Sultan's Treasury and to the Moorish people that they would be the first, at the expiration of the term, to wish for the facilities thus enjoyed to be perpetuated and secured through the solemnity of Treaty stipulations.

Baron Testa further proposed that M. Féraud should also endeavour to obtain from the Sultan the suppression of the present Tariffs, to be replaced by a 10 per cent. *ad valorem* duty at the point of shipment for all articles of exportation except those expressly prohibited.

If the Sultan should meet this proposal by a refusal, M. Féraud, Baron Testa thought, should then attempt to induce His Shereefian Majesty to fix a 10 per cent. *ad valorem*

duty for all articles not included at present in the Tariffs. This was a necessary concession, as the Moorish Custom-house officials now persisted in considering absolutely everything not included in the Tariffs as prohibited articles of exportation.

After a twenty-four hours' consideration of my collecgues' proposals I returned to M. Féraud, and inquired whether the Sultan had offered to permit for the limited term the exportation of wheat and barley at the prohibitive duty mentioned in existent Tariffs, or at the 10 per cent. *ad valorem* duty indicated in Baron Testa's proposal No. 2.

M. Féraud admitted that this point had escaped his attention, and that, of course, the Sultan had no knowledge as yet of the question of a 10 per cent. duty. I therefore said it would be time enough to consider the suspension of our negotiations for the conclusion of a Convention when we learnt the extent of the concessions His Shereefian Majesty was prepared to make, and that I had reason to know merchants would be unable to profitably export wheat and barley unless these grains were put on a footing of equality with the other pulse now exported.

There has been no time to learn, since the arrival of my French colleague at the Moorish Court, the result of his inquiries of the Sultan in the direction of Baron Testa's suggestions. I fear that M. Féraud will only ascertain that there has been no real change in His Shereefian Majesty's views on fiscal matters, and that at the first sign being perceived at Morocco of our disposition to take, so to speak, a step backwards, the French Representative will understand the advisableness of our standing firmly on our present ground.

If I am mistaken, and the Sultan should be brought to act in the way indicated in the German Minister's proposal, reducing at the same time very considerably the duty (now prohibitive) on wheat and barley standing against these articles in the existing Tariffs, it would be as well to agree to the proposal, if otherwise, unless Her Majesty's Government are prepared to extort commercial advantages from the Sultan, the pending negotiations might still be unsettled at the expiration of the five years' term here mentioned, for these negotiations have already been going on without any appreciable progress having been made, for about six years.

I have, &c.
(Signed) W. KIRBY GREEN.

Inclosure in No. 64.

M. Testa's Proposal regarding Policy to be followed on Commercial Convention.

ACCEPTER la proposition du Sultan de permettre à titre d'essai pour un terme de trois ans l'exportation des céréales et des bêtes mâles.

2. Proposer au Sultan de supprimer le Tarif actuel et de le remplacer par la disposition générale que tout produit du sol ou de l'industrie, dont l'exportation n'est pas expressément prohibée, aura à payer un droit uniforme d'exportatiou de 10 pour cent de la valeur à l'échelle d'embarquement.

3. Éventuellement, si le Sultan n'accepte pas la proposition No. 2, et préfère discuter avec nous les différentes portions du Tarif, obtenir de lui la disposition que tout article qui n'est pas mentionné dans le Tarif, et dont l'exportation n'est pas prohibée, pourra être exporté contre paiement d'un droit de 10 pour cent *ad valorem*.

No. 65.

The Earl of Iddesleigh to Mr. Kirby Green.

(No. 23. Commercial.)

Foreign Office, December 3, 1886.

Sir,

I APPROVE the line of action which has been adopted by your German and French colleagues and yourself in regard to the commercial negotiations with Morocco, as reported in your despatch No. 30, Commercial, of the 18th ultimo.

I am, &c.
(Signed) IDDESLEIGH.

Printed for the use of the Foreign Office. January 1888.

CONFIDENTIAL.

(5534.)

FURTHER CORRESPONDENCE

RESPECTING

COMMERCIAL NEGOTIATIONS

BETWEEN

GREAT BRITAIN AND MOROCCO.

[In continuation of Confidential Paper No. 5533.]

1887.

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Printed for the use of the Foreign Office. January 1888.

CONFIDENTIAL.

Further Correspondence respecting Commercial Negotiations between Great Britain and Morocco.

[In continuation of Confidential Paper No. 5533.]

No. 1.

Mr. Kirby Green to the Marquis of Salisbury.—(Received February 21.)

(No. 6. Commercial.)

Tangier, February 10, 1887.

My Lord,

BY my despatch No. 30, Commercial, of the 18th November last, I had the honour of informing the Earl of Iddesleigh of the step I had consented to join my French and German colleagues in taking for the purpose of attempting to lead the Moorish Government into learning by practical experience the advantages of affording facilities for the exportation of some of the most important products of this country.

On the return of M. Féraud from the Moorish Court in the middle of last month he communicated to Baron Testa and me the translation of a letter addressed to him by Cid Emfadl Gharneet, the Minister for Foreign Affairs, in reply to the proposal which we had authorized M. Féraud to make in our joint names.

A preliminary perusal of this reply, a translation of which I have the honour to transmit herewith, left me under the impression that it was a direct refusal on the part of the Moorish Government to accept our proposal, or even continue the negotiations for the conclusion of a Commercial Convention, unless we would first engage to carry out in every particular ("mettre en vigueur") the Madrid Convention on Protection of 1880.

But, later on, after Mr. de Vismes de Ponthieu had supplied me with a careful English translation (the one herewith inclosed) of the Arabic text of the letter to M. Féraud, I ascertained, though I was confirmed in the impression that our joint proposal had been rejected, that the Moorish Government clearly stated it would make no modification in the existing stipulations as to exports until the Madrid Convention had been revised; foreign merchants had abandoned their rights to have their native agents and "semsars" withdrawn from Moorish jurisdiction; and natives naturalized abroad should be unable to enjoy the benefits of their naturalization in Morocco, except under the consent, in each separate case, of the Moorish Government.

M. Féraud having, however, repeatedly stated to me that he considered the letter offered a basis for negotiation of the Commercial Convention, I was obliged to await a favourable opportunity until I could request my French colleague to point out to me in what portion of Cid Emfadl Gharneet's communication he found an opening for such negotiations or the justification for a hope that the Sultan was willing to temporarily make the solicited concessions.

The French Minister has only now explained to me that he had arrived at his conclusions from the tenour of conversations he had with the Sultan himself, as much as from the Vizier's letter, which he, M. Féraud, still believes wished us merely to take steps for the more strict observance of the Convention of Madrid, in view of the increase of trade which the contemplated concessions would give rise to. But my colleague has been quite unable to point out to me one single paragraph in the letter in support of the belief under which he quitted the Moorish Court, and I have reluctuantly come to understand that he must have had more pressing matters to

arrange with His Shereefian Majesty, and have had no time to spare for the advancement of the Commercial Convention.

I will not trouble your Lordship with a detailed review of the Vizier's letter; but from its tangled preamble, in which both M. Féraud and Baron Testa fancied they had discovered the Sultan's consent to discuss the question of a three years' permission to export wheat, barley, and cattle, I have gathered that the Sultan had at once declined permitting the said exportation for more than three months a-year, during a period of three years, and then only on condition that each year of the triennial term should be a year of abundance; and that, above all, this concession should have been recommended by the counsellors to whose consideration the Sultan had submitted it.

These counsellors, however, instead of having acquiesced in the concession, had based its rejection on six considerations (five only are given in the letter). The four first are the before-alluded-to arguments in support of the revision of the Madrid Convention, abolition of native agents, &c. The fifth advises that it should be stipulated that mercantile transactions "may only be carried on in the towns and ports at appointed places and at specified times; that they (the produce) may only be sold for ready money, and that it shall not be allowed that they (the merchants) go out on the roads to meet those who are conveying the goods, nor to commission any one to bring them from or take them into the interior."

Cid Emfadl Gharneet's request that he may be enabled to inform the Sultan whether the demand contained in the fifth consideration is acceptable can only be met by peremptory refusal to entertain it, for it is a naked and foolish device to close the interior of Morocco to foreign trade.

I must also draw your Lordship's attention to the fact that, in the Moorish Minister's letter, it is clearly stated that the Sultan, when submitting the proposed concessions for the consideration of his counsellors, explained that the products in question should be only allowed to be exported "on the basis of the existing duties." In my before-referred-to despatch No. 30, Commercial, of the 18th November last, I reported to your Lordship that I was careful to point out to M. Féraud that it would be useless for us to agree to alter the course of the past negotiations for the Commercial Treaty if the Sultan did not intend reducing to a 10 per cent. *ad valorem* duty the export dues of the described products, for the duties leviable according to the old Tariff are prohibitory.

A point has therefore now been reached where no further progress can be looked for as regards the conclusion of the Commercial Treaty, unless a new departure is taken by one of the interested sides. It would be useless to expect it on the part of the Moorish Government, and I see no likelihood of the speedy agreement of my French colleague to an idea which has occurred to me for attempting to gauge the sincerity of the Moorish declarations about the evils of the system of foreign protection of native subjects being at the bottom of the Shereefian Government's disinclination to advance its commercial intercourse.

The proposal which I venture most respectfully to submit for your Lordship's consideration is that your Lordship should authorize me, on my approaching visit to the Moorish Court, to ascertain the extent of the commercial advantages which the Sultan would be prepared to concede to Great Britain if Her Majesty's Government consented to drop the exercise of protection of natives in Morocco secured to it by the Madrid Convention.

From the Moorish point of view the concession should be regarded as immense, and the return to be made to us should accordingly be considerable. It would be my duty to put the above clearly before the Sultan, and prevent His Shereefian Majesty from inferring that he could bring about the renunciation by other means than those to be indicated by me. I would also have to point out to the Sultan that the example of the British trade in Morocco prospering under a new order of things would probably be the means of freeing his rule from the cause which is daily depriving it of all jurisdiction over ever-increasing numbers of its subjects, for the other foreign Governments, one by one, would be forced into following the course adopted with success by Great Britain.

There are many evils connected with the protection of Moors by foreigners with which it is not necessary that I should now trouble your Lordship. Not the least of them, however, is that an inordinately extended list of British-protected subjects necessarily dilutes the strength of my representations to the Moorish Government on behalf of *bond fide* British subjects, and otherwise lowers the standing of the English name in this country.

But it will be time enough to enter into a full examination of the advantages

and disadvantages of the privilege of protection when the extent of the commercial concessions which the Sultan may be disposed to make has been fully ascertained. These concessions then can be submitted to the consideration of Chambers of Commerce capable of taking broad and enlightened views, and not merely to that of traders of a class brought into existence through unhealthy surroundings.

In here suggesting the possible suppression of protection of natives, I have, of course, had no intention of touching the privilege which I and Consular officers have of attaching to our service a limited number of Moors. This privilege I would place on the footing of political protections, which the Moorish Government, like many other Mussulman and semi-civilized Governments, would continue to accept without objection.

Before concluding this despatch I feel that it is needful to warn your Lordship that, if my suggestion is not found altogether unworthy of attention by your Lordship, it is, nevertheless, likely to cause considerable commotion in certain influential quarters, such as the Board of Jewish Deputies of London, the Alliance Israélite of Paris, &c.

My proposal may be understood by them to carry with it the abandonment of a number of Morocco Jews who have, by various means, secured British protection, to the tender mercies of the rapacious and cruel Moorish authorities. Nothing has been further from my mind and intention than to bring about any such calamity. I am, in fact, convinced that my hand, as British Representative in Morocco, will be strengthened in all efforts to improve the position of the whole of the Moorish Jews, by my not having a special little band of Jews of my own for particular patronage and protection. Even now diplomatic pressure is more efficacious with the Sultan for the advancement of questions such as this one of the general welfare of his Jewish subjects than representations based on the terms of some Treaty stipulation which His Shereefian Majesty finds galling through its being ever present.

I have, &c.

(Signed) W. KIRBY GREEN.

— Inclosure in No. 1.

Cid Emfadl Gharneet to M. Féraud.

(Translation.)

(After compliments.)

WE have received your letter on the subject of the Convention of Commerce, in which you tell us, in your own name, and in that of the German and British Ministers, that the Commissioners sent by the Sultan to negotiate the Convention with you had parted from you before you had been able to explain to them fully the advantages that would accrue to this country from a reduction in the duties on exported merchandize, as thereby the price of such merchandize at its destination would be rendered equal to that of the produce of the land. You also propose that if you and they (the Commissioners) fail to come to an agreement touching the duty to be imposed on any merchandize, duty should be paid *ad valorem* on such merchandize.

We have communicated your letter to our Lord and Master, and His Majesty has taken it into consideration, and has commanded us to return you the answer which has already been communicated to you through His Majesty's Commissioners, viz., that all the great and distinguished men of this realm who have been consulted on the subject are of opinion that this (the proposed Convention) would produce no good, and have pointed out the evils that would result from it. One of these evils would be a decrease in the revenue from which the Government maintains the army and Administration, and the greatest of them the burden which would fall upon the people in the shape of contributions which it would become necessary to levy on them, such as gate and personal taxes, &c., in order to fill the Treasury and provide for the army.

That the Sultan also wrote to consult the whole of his people as to whether he should accept the lesser of the two evils, and allow the exportation of articles hitherto prohibited, such as wheat, and barley, and rams, bucks, bulls, and he-donkeys, for a period of three years only, by way of testing the advantages which you say would be derived therefrom, and this on the basis of the existing duties, and on the condition that the exportation of these things take place at harvest time whenever there is abundance, for the space of three months, after the lapse of which it would cease, and no claim to continue it would be entertained on any pretext whatsoever; the next

year also, if it is one of plenty, the exportation of these things would be permitted, during three months again, by way of experiment; but if there is scarcity, the experiment of exportation for the specified period would be suspended. All this would be on the express understanding that we are not hereby committed to any engagement, but that this concession is only made by way of an experiment, in order that we may see the results of it.

That when they let His Majesty know their opinion on this matter, the Sultan would communicate their reply to you.

Their answer is embodied in six [*sic*] Articles:—

1. The advantage of this experiment would be for others and not for themselves, and they would only reap great damage from it.

2. Among the evils resulting from it would be an abnormal increase in the number of "semsars" and of naturalized subjects, which everybody knows to be a great evil.

3. (If this experiment is to be made) it should be laid down that it will only take place after the revision of the Convention of Madrid, and the abolition of "semsars" and commercial agents, naturalization being maintained under the condition that patents of naturalization shall be given to nobody without the permission of the Government of this country, and that a list of protected persons shall be forwarded to the authorities every year, agreeably with the (present) provisions of the Treaty. The harm that would result from making this experiment before the revision of the Convention of Madrid is evident; disturbance and chaos would be produced in the markets, especially in those of the interior, because the "semsars" and other protected persons who will repair to them are not subject to the jurisdiction of the Moorish officials, and will therefore take away the goods of others for whatever price they think proper, and will oppress the poor among the people, and they will also commit many other acts which are not unknown to you. If the Sultan allowed this (the exportation of wheat and barley) before the Convention (of Madrid) is changed, it would be equivalent on his part to accepting the evils which would fall on the people, cheating the merchants, and permitting general commotion and disorder, and the setting at nought of the authority of his Governors; this is a state of things which the Powers could not desire or sanction.

4. The conclusion of a Treaty of Commerce must be delayed till after the Convention of Madrid has been revised as suggested, for most of the Articles of that Treaty are based on this Convention, and to set up the Treaty on this foundation before its (the Convention's) revision would be productive of great harm.

5. The exportation of these articles from the markets of the interior would lead to advances of money being made by merchants on grain, wool, and the like, to their owners, and when the term is passed, and the delivery of the goods is delayed, numerous altercations and quarrels will ensue, and the good which it is desired to attain will be turned to evil. Therefore it should be enacted that the trade in these things may only be carried on in the towns and ports at appointed places and at specified times to be made known to those who wish to buy and sell, and that they may only be sold for ready money; that it shall not be allowed to go out on the roads to meet those who are conveying the goods, nor to commission any one to bring them from, or take them into, the interior. Our Lord the Sultan has commanded us to inform you of this answer, in order that you may take it into serious consideration; men of your intelligence must know that these people are right in what they say, and if the Government does not support them there will be great discontent, for they ask no advantages for themselves, but only immunity from harm, and that you support their demand, which is that the Convention of Madrid be revised in the way suggested; this we believe you will do. As to the Regulations proposed in the Vth Article, if you approve of them, it is well; but if you know of anything better, tell us, that we may inform our Lord the Sultan. Peace.

(Signed) MOHAMMED EL EMFADL BEN MOHAMMED GHARNEET.

Rebia I, 28, 1304.

37
END

No. 2.

London Chamber of Commerce to the Marquis of Salisbury.—(*Received March* 25.)

My Lord, 84-85, *King William Street, London, March* 24, 1887.

THE Council of the London Chamber of Commerce have been for some time past hopefully awaiting an announcement, that the negotiations for a new Commercial Treaty with Morocco were approaching a successful issue, and they trust that the new British Minister at Tangier will be encouraged by your Lordship to continue the efforts commenced by his predecessor to attain this desirable end.

The Council would respectfully venture to direct your Lordship's attention to its previous letters on the importance of concluding a Treaty on modern lines with Morocco. They believe that that country presents a most favourable field for the development of British trade, if the course of exchange of products is made more free, and the restrictions which at present hamper commercial intercourse are removed or modified. Such development would, in all probability, not only affect the dominions of the Emperor of Morocco, but also extend to the other districts of North-western Africa.

Without dwelling upon the natural resources of the country, the wealth of which will be known to your Lordship, or the favourable position of Morocco in regard to its distance from this country, the Council of the London Chamber desire further to impress upon your Lordship the desirableness of active steps being taken to preserve the favourable position of British interests in the Moorish Court, in view of the activity of the other European countries, and more especially of Spain, France, and Germany. The reports which have recently been circulated and eagerly noticed as to the rectification of the frontiers between the French North-western African possessions and Morocco may not be strictly accurate, but the importance which was attached to them is an evidence of the watchfulness of European States in regard to Morocco, and of the prevalent desire of the competitors of Great Britain to improve their position in every possible direction.

The Council therefore trust that it will be agreeable to your Lordship, the new British Minister at the Court of Morocco having now assumed office, to give instructions that no effort should be spared to obtain the final conclusion of a Commercial Treaty between the two countries at the earliest possible date, and to strengthen the British position generally in the Moorish dominions.

I am, &c.

(Signed) KENRIC B. MURRAY, *Secretary.*

No. 3.

Foreign Office to London Chamber of Commerce.

Sir, *Foreign Office, March* 28, 1887.

I AM directed by the Marquis of Salisbury to acknowledge the receipt of your letter of the 24th instant, urging that every effort be made to conclude a new Commercial Treaty with Morocco; and I am to state, in reply, for the information of the London Chamber of Commerce, that this matter is receiving the best attention of Her Majesty's Minister at Tangier.

I am, &c.

(Signed) JAMES FERGUSSON.

No. 4.

Mr. Kirby Green to the Marquis of Salisbury.—(*Received April* 5, 5·40 P.M.)

(Commercial.)
(Telegraphic.) *Tangier, April* 5, 1887, 3·35 P.M.

WITH reference to my despatch No. 6, Commercial, of the 10th February last, though I have received no instructions as yet from your Lordship, may I discuss question with Sultan and his Ministers in an unofficial way?

No. 5.

The Marquis of Salisbury to Mr. Kirby Green.

(No. 11. Commercial.)
(Telegraphic.)

Foreign Office, April 6, 1887, 4·50 P.M.

YOUR telegram of yesterday.

You may speak about commercial matters, but question of protection in your No. 6 is still under consideration.

No. 6.

Mr. Kirby Green to the Marquis of Salisbury.—(*Received April* 13.)

(No. 11. Commercial. Ext. 12.)

Tangier, April 5, 1887.

My Lord,

AS when I leave Tangier to proceed to the Moorish Court I shall be at once beyond reach of rapid communications, I venture to ask your Lordship, with reference to my despatch No. 6, Commercial, of the 10th February last, whether I may touch, in an unofficial manner, in my conversations with the Sultan and his Ministers, on the question of the advantages which the Moorish Government might be prepared to accord to British commerce and navigation, should it be found possible to modify our acquired rights of protection of natives in the service of British subjects.

I have already had the honour of telegraphing the substance of this despatch to your Lordship.

I have, &c.
(Signed) W. KIRBY GREEN.

No. 7.

Mr. Kirby Green to the Marquis of Salisbury.—(*Received May* 26.)

(No. 12. Commercial.)

Morocco, May 8, 1887.

My Lord,

DURING a private audience which I had the honour of having accorded to me on the 30th April by the Sultan, I touched upon the great delay which had arisen in the conclusion of the Commercial Treaty so much desired by ourselves, the French and the Germans.

His Majesty said he was not opposed to a new Commercial Treaty, but that he could not depart in the slightest degree from the ground taken up in the note addressed last autumn to M. Féraud. (See my despatch No. 6, Commercial, of the 10th February.)

To this I replied that I understood the note was being considered by Her Majesty's Government, and that I trusted the negotiations for the Treaty would shortly be renewed with a determination on all sides to bring them to a speedy and satisfactory conclusion.

I have, &c.
(Signed) W. KIRBY GREEN.